



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

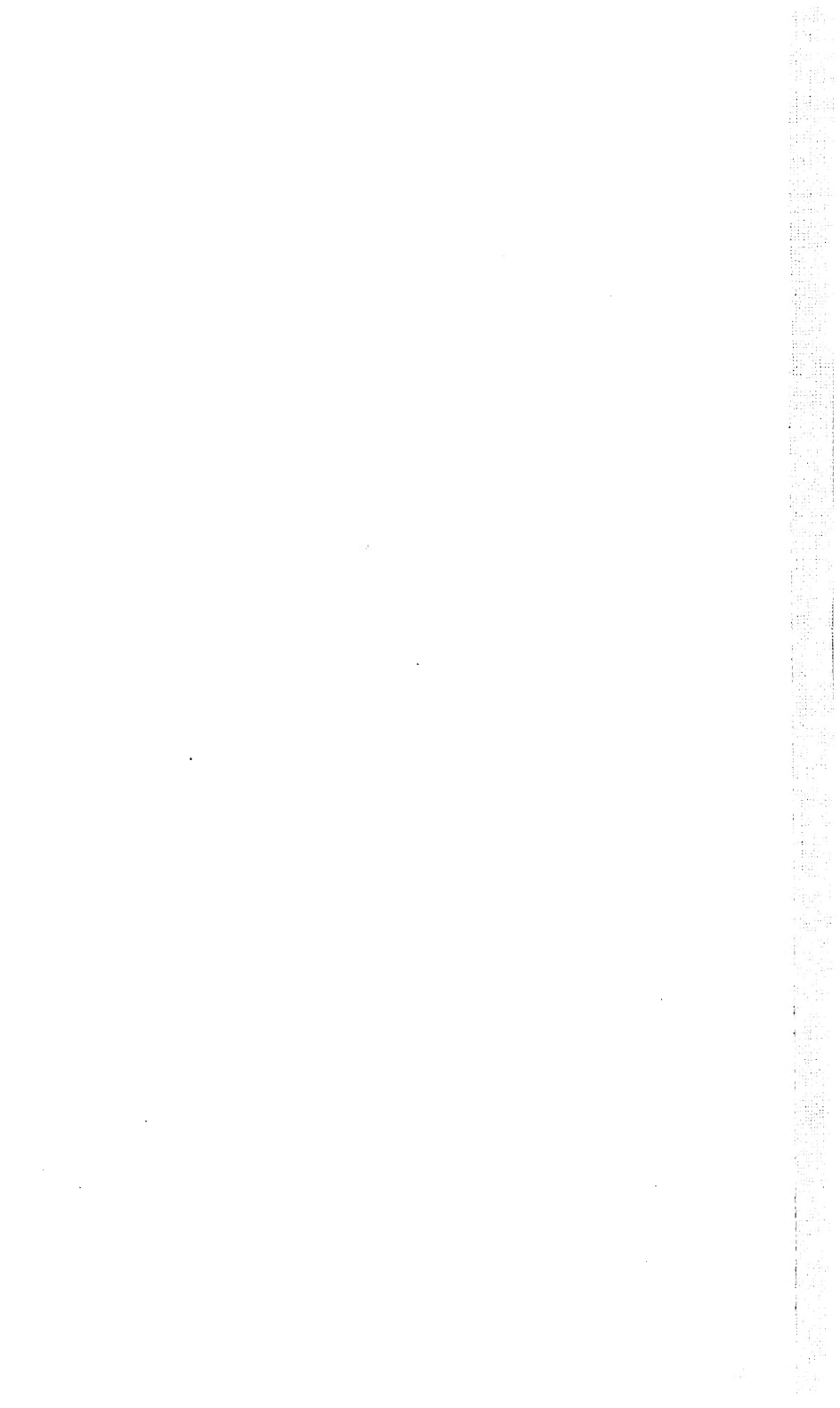
NYPL RESEARCH LIBRARIES

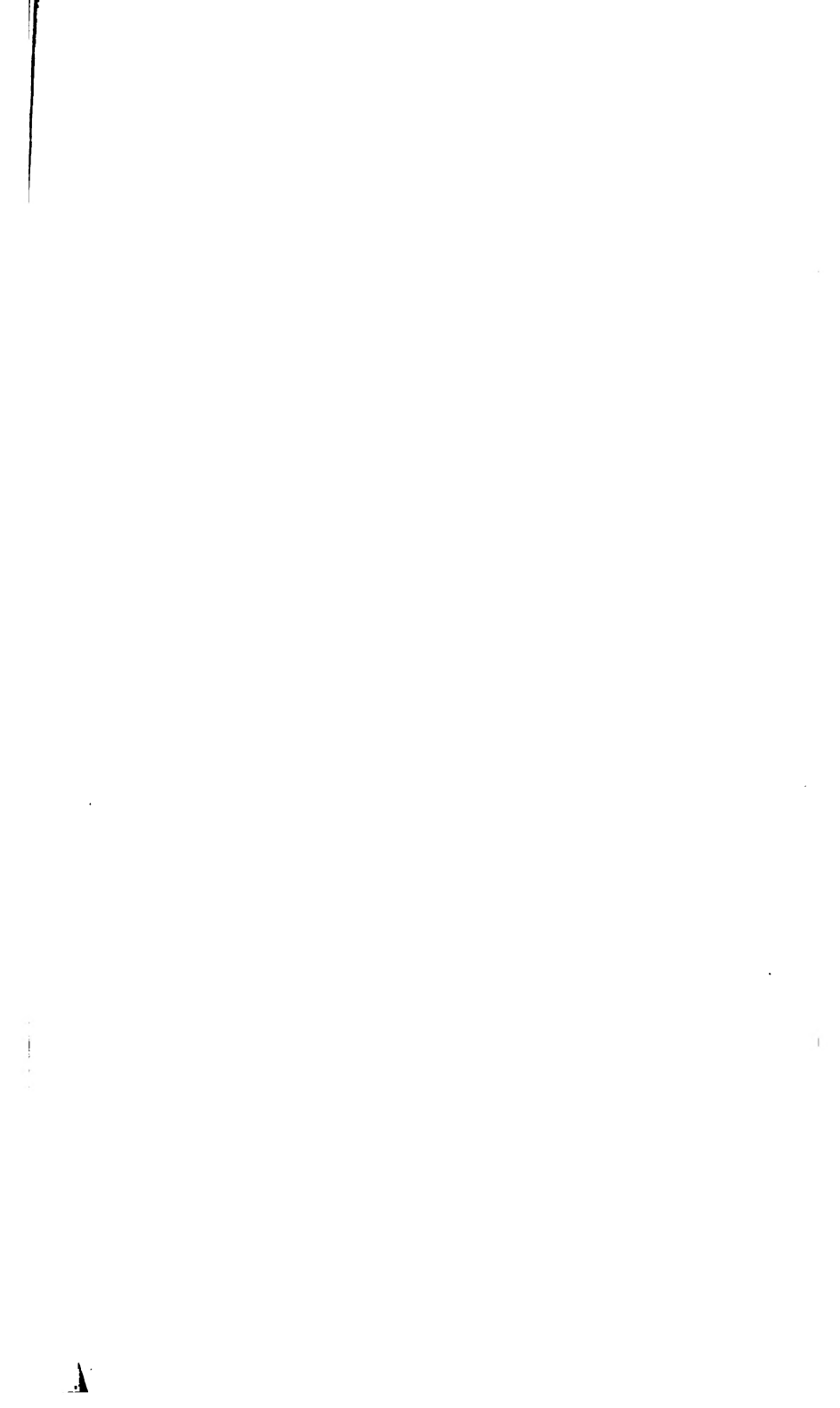


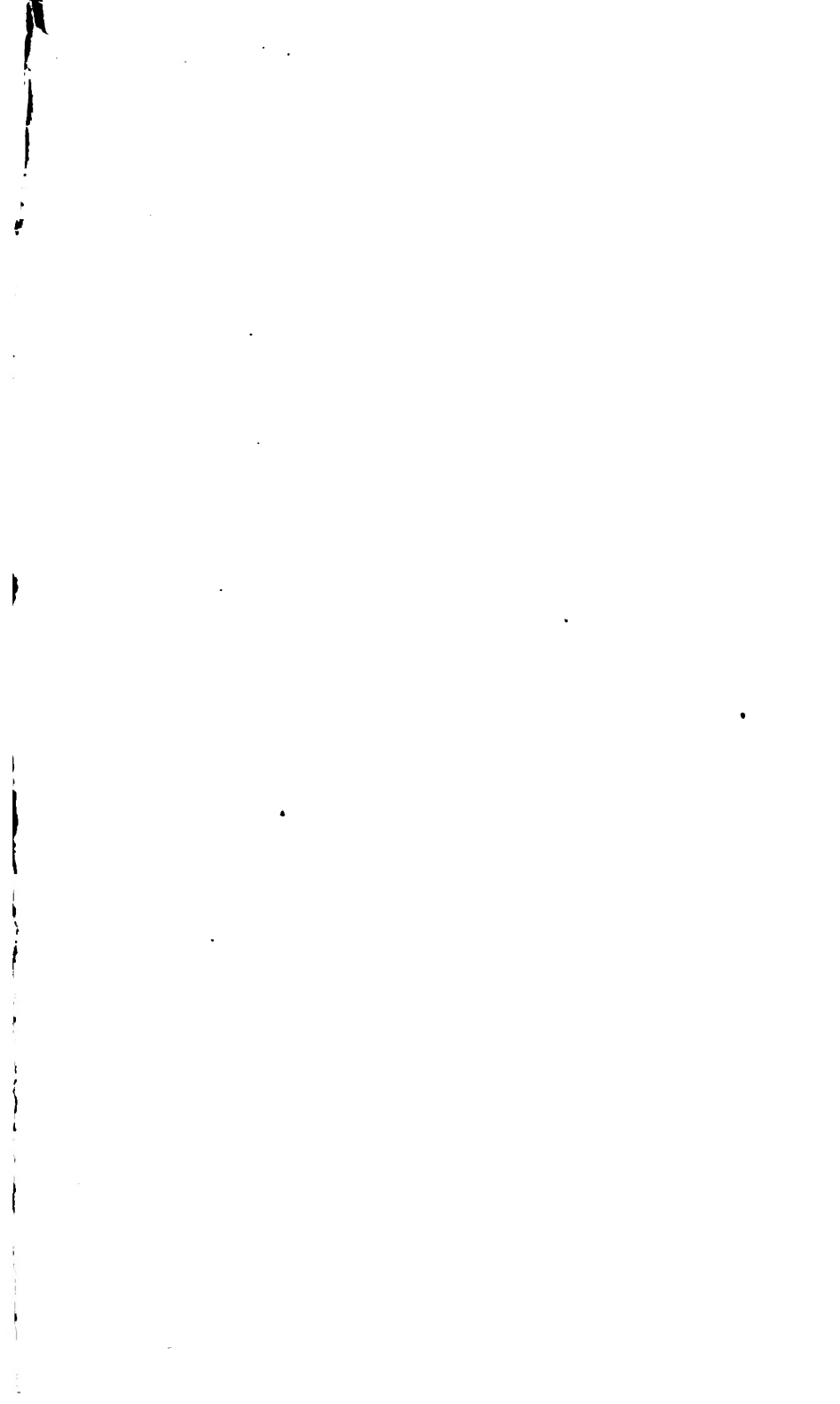
3 3433 08168412 2

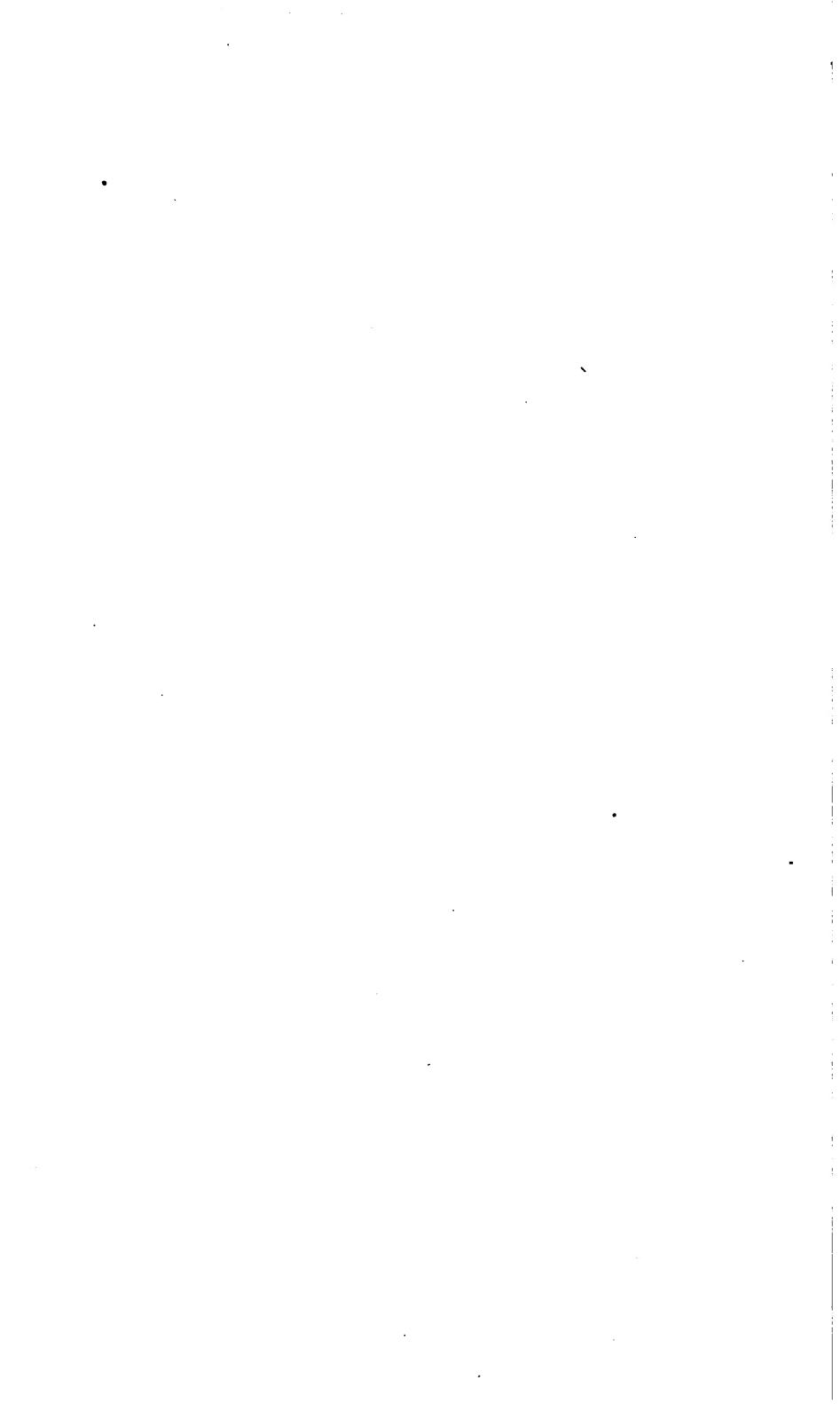
MICROFILMED

100









THE

Irish Quarterly Review.

Vol. IV.

DUBLIN :
W. B. KELLY, AND FOR R. SHEW,
8, GRAFTON-STREET.

LONDON : SIMPKIN, MARSHALL, AND CO.
MELBOURNE : AUSTRALIAN AGENT, G. ROBERTSON.

1854.

THE
LAW
OF
THE
STATE

THE
IRISH QUARTERLY REVIEW.

No. XIII.—MARCH, 1854.

VOL. IV.
CONTENTS.

ARTICLE.

PAGE.

I.—OUR JUVENILE CRIMINALS:—THE SCHOOL-MASTER OR THE GAOLER :

1. Report of Committee on Criminal and Destitute Juveniles. Presented to House of Commons, in December, 1852.
2. The Condition and Education of Poor Children in English, and in German Towns. By Joseph Kay, Esq., M.A. of Trinity College, Cambridge, Barrister-at-Law; Published for The Manchester Statistical Society. London: Longman and Co., 1853.
3. Memoirs of Convicted Prisoners; Accompanied by Remarks on the Causes and Prevention of Crime. By the Rev. H. S. Joseph, Chaplain of Chester Castle. London: Weirtheim and Mackintosh, 1853.
4. A place of Repentance; or an Account of the London Colonial Training Institution and Ragged Dormitory, for the Reformation of Youthful and Adult Male Criminals, Great Smith Street, Westminster. By Samuel Martin, Minister of Westminster Chapel. Second Edition. London: James Nisbet and Co., 1852.
5. Juvenile Depravity. £100 Prize Essay. By Rev. Henry Worsley, M.A., Late Michel Scholar of Queen's College, Oxford, Rector of Easton, Suffolk. Dedicated By Special Permission to the Lord Bishop of Norwich. 1 vol. London: Charles Gilpin. 1849.

- I.—6. London Labour and the London Poor ; A Cyclopædia of the Condition and Earnings of those that Will Work, Those that Cannot Work, and Those that Will Not Work. By Henry Mayhew, 2 vols. London, 1851.
7. The Million-Peopled City ; or One Half of the People of London Made Known to the other Half. By John Garwood, M.A., Clerical Secretary to the London City Mission, and Editor of "The London City Mission Magazine." 1 vol. London : Weirtheim and Mackintosh, 1853.
8. The Rookeries of London : Past, Present and Prospective. By Thomas Beames, M.A., Preacher and Assistant of St. James', Westminster. Second Edition. 1 vol. London : Thomas Bosworth, 1852.
9. Meliora : or, Better Times to Come. Being the Contributions of Many Men Touching the Present State and Prospects of Society. Edited By Viscount Ingestre, 1st series, 2nd Edition, 1852 : 2nd series, 1853. London : John W. Parker and Son.
10. The Social Condition and Education of the People in England and Europe ; Shewing the Results of the Primary Schools, and of the Division of Landed Property, in Foreign Countries. By Joseph Kay, Esq., M.A., of Trinity College, Cambridge, Barrister-at-Law ; and Late Travelling Bachelor of the University of Cambridge. 2 vols. London : Longman and Co., 1850.
11. Chapters on Prisons and Prisoners. By Joseph Kingsmill, M.A., Chaplain of Pentonville Prison, London. Second Edition, 1 vol. London : Longman and Co., 1852.
12. Prison Discipline ; and the Advantages of the Separate System of Imprisonment, with a Detailed Account of the Discipline Now Pursued in the New County Gaol, At Reading ; By the Rev. J. Field, M.A., Chaplain. 2. vols. London : Longman and Co., 1848.
13. University and Other Sermons. By John Field, M.A., of Magdalene Hall, Oxon, Chaplain of The Berkshire Gaol, Reading, 1 vol. London : Longman and Co., 1853.

I.—14. Crime: its Amount, Causes and Remedies.
By Frederick Hill, Barrister-at-Law, Late In-
specter of Prisons, 1 vol. London: John
Murray, 1853.

15. Crime in England, Its Relative Character and
Extent, as Developed From 1801 To 1848.
By Thomas Plint. London: Charles Gilpin,
1851.

16. Report on the Discipline and Management
of the Convict Prisons, and Disposal of
Convicts, 1852, With Notes on the Convict
Question, Construction of Prisons, Hard
Labour, &c., &c. By Lieut. Col. Jebb, C.B.,
Surveyor-General of Prisons, Chairman of the
Directors, &c. Presented to both Houses of
Parliament, by Command of Her Majesty.
London: 1853.

17. Reports of the Directors of Convict Prisons
on the Discipline and Management of Penton-
ville, Parkhurst, and Millbank Prisons, and of
Portland, Portsmouth, and Dartmoor Prisons,
and the Hulks, for the year 1852. Presented
to both Houses of Parliament by Command of
Her Majesty. London: 1853.

18. Social Evils: Their Causes and their Cure.
By Alexander Thomson, Esq. of Banchory.
London: James Nisbet and Co. 1852.

19. Reformatory Schools, For the Children of
the Perishing and Dangerous Classes, and for
Juvenile Offenders. By Mary Carpenter.
London: C. Gilpin. 1851.

1

II.—PHASES OF BOURGEOIS LIFE:—

Memoirs De Jerome Paturot Patenté, Elec-
teur, et Eligible. Par Louis Reybaud, 2 tomes:
Paris.

72

III.—THE IRISH LAND QUESTION:—

1. Tenant Compensation Bill, Ireland.—Parlia-
mentary Session of 1853—As Brought from the
Commons', and as Read a Second time in the
Lords'.

2. Same Bill As Amended by Mr. Sergeant Shee,
M.P. for the County of Kilkenny.

III.—3. Report on the Policy and Votes of the Tenant Right Party in the House of Commons during the Last Session. Report made to the Tenant League Conference, Dublin, Tuesday, October, 4th 1853.

4. Report from Her Majesty's Commissioners of Inquiry into the state of the Law and Practice in respect to the Occupation of Land in Ireland. Presented to both Houses of Parliament by Command of her Majesty, 1845.

103

IV.—PLUNKET.

142

V.—LIMITED LIABILITY IN PARTNERSHIPS :—

1. Report on the Law of Partnership, Together with the Appendix containing Communications to the Board of Trade Respecting the Law of Partnership. Ordered by the House of Commons to be printed, 14th July, 1837.

2. Report from the Select Committee on the Law of Partnership, Together with the Proceedings of the Committee, Minutes of Evidence, Appendix and Index. Ordered by the House of Commons to be printed, 8th July, 1851.

3. An Inquiry into the Policy of Limited Liability in Partnerships. By Henry Colles, Esq., Barrister-at-Law, Dublin : J. M'Glashan, 1853.

182

VI.—THE OLD MASTERS AND MODERN ART :

1. The Irish Institution. Catalogue of the Exhibition of Ancient and Modern Paintings. Dublin : Browne and Nolan, 1854.

2. Report on the National Gallery ; Together with the Proceedings of the Committee, Minutes of Evidence, Appendix and Index. Ordered by the House of Commons to be printed, 4th August, 1853.

3. First Principles of Symmetrical Beauty. By D. R. Hay, Edinburgh and London : William Blackwood and Sons, 1846.

4. The Principles of Beauty in Colouring Systematized. By D. R. Hay, F.R.S.E. Edinburgh and London : William Blackwood and Sons, 1849.

198

THE
IRISH QUARTERLY REVIEW.

No. XIV.—JUNE, 1854.

VOL. IV.

CONTENTS.

ARTICLE.	PAGE.
1.—LITERATURE AND POETRY IN IRELAND :—	
1. Poems. By John Francis Waller, L.L.D. Dublin : James M'Glashan, 1854.	
2. The Slingsby Papers ; a selection from the writings of Jonathan Freke Slingsby. Dublin : J. M'Glashan, 1852.	
3. Ballads, Poems, and Lyrics, Original and Translated. By Denis Florence M'Carthy. Dublin : J. M'Glashan, 1850.	
4. Dramas of Calderon, Tragic, Comic, and Legendary. Translated from the Spanish, Principally in the Metre of the Original. By Denis Florence M'Carthy, Esq., Barrister- at-Law, author of "Ballads, Poems, and Ly- rics," etc., 2 vols. London : Charles Dolman, 1853.	
5. Theoria. By Digby P. Starkey, A.M., M.B.I.A. Barrister-at-Law. Dublin : James M'Glashan, 1847.	
6. Poems, Illustrative of Grace—Creation— Suffering. By the Rev. Richard Sinclair Brooke, A.B. Dublin : James M'Glashan, 1852.	257
II.—JOHN BANIM :—PART I. INTRODUCTION. BIRTH. SCHOOL DAYS. YOUTH. FIRST LOVE.	286
III.—THE HISTORICAL SOCIETY OF TRINITY COLLEGE, DUBLIN :—FIRST ERA.	305

IV.—FRENCH LIFE IN THE REGENCY :—

1. *Le Chevalier D'Harmental*. Par Alexandre Dumas, 3 Tomes : Paris.
2. *La Régence*. Par Alexandre Dumas, 2 Tomes : Paris.

328

V.—REFORMATORY AND RAGGED SCHOOLS :—

1. *Reformatory Schools, For the Children of the Perishing and Dangerous Classes, and for Juvenile Offenders*. By Mary Carpenter. London : C. Gilpin, 1851.
2. *Draft Report by Sub-Committee of Rural Police of County of Aberdeen, on the Causes of the Recent Increase of Vagrancy and Crime in the County*. By Alexander Thomson, Esq., Banchory House, Aberdeen. Aberdeen : D. Chalmers and Co., 1852.
3. *Aberdeenshire Reports on Juvenile Delinquency, 1845, 1848. 1851*. Aberdeen : D. Chalmers and Co., 1851.
4. *Social Evils : their Causes and their Cure*. By Alexander Thomson, Esq., of Banchory. London : James Nisbet and Co., 1852.
5. *Letter to M. D. Hill, Esq., Recorder of Birmingham, on Juvenile Ragged Industrial Feeding Schools*. By Alexander Thomson, Esq. Aberdeen : 1853.
6. *Report on Sheriff Watson's Female Industrial School, for the year 1853-4*. Aberdeen : D. Chalmers and Co., 1854.
7. *A Bill for Making Provision to Prevent and Suppress Juvenile Delinquency, and to Regulate Reformatory and Industrial Schools for Juvenile Offenders and Vagrants, and for Other Purposes Relating Thereto*. Draft Bill for Scotland, 1854.
8. *Charge of the Late Mr. Justice Talfourd, delivered to the Grand Jury of the County of Berkshire, at the Lent Assizes, Held in Reading, on Monday, 27th February, 1854 : Reported in "The Berkshire Chronicle," Saturday, March 4th, 1854.*

- V.—9. Second Annual Report of the Dublin Ragged School, Broomer and Messenger Society, for the year 1853. Dublin : W. Porteous, 1854.
10. Second Annual Report of the Mill-street Ragged Schools. Dublin : W. Espy, 1853.
11. First Annual Report of the Committee of Management of the Male and Female Ragged and Sunday Schools, 27, Townsend-street. Dublin : R. D. Webb, 1854
12. Report of the Ragged Schools, Lurgan-street, (Lately Church-street) Dublin : Brady, 1853.
13. First Annual Report of the Ragged School Dormitory, No. 31, Chancery Lane. Dublin : W. Espy, 1854.
14. Second Annual Report of the Committee of the Catholic Ragged Schools, ending May 31st, 1853, adopted at the Annual General Meeting, held in the Church of St. Paul, on Sunday, June 19th, 1853—His Grace the Lord Archbishop of Dublin Presiding. Dublin : Fowle, 1853.
15. Copy of a Proposed Memorial Sent by the Preventive and Reformatory School Committee, to the Committee of the Ragged School Union, for their Consideration before being Presented to the Lords of the Privy Council. Printed for Private Circulation, 1854.
16. Two Prize Essays on Juvenile Delinquency. By Micaiah Hill, Esq., and C. F. Cornwallis. London : Smith, Elder and Co., 1853.
17. Meliora : or Better Times to Come. Being the Contributions of Many Men Touching the Present State and Prospects of Society. Edited by Viscount Ingestre. First series. Second Edition ; and Second Series. London : J. W. Parker and Son, 1852-3.
18. A Place of Repentance ; or an Account of the London Colonial Training Institution and Ragged Dormitory, for the Reformation of Youthful and Adult Male Criminals, Great Smith-street, Westminster. By Samuel Martin, Minister of Westminster Chapel. Second Edition. London : James Nisbet and Co., 1852.

ARTICLE.	CONTENTS.	PAGE.
V.—19.	<p>Chapters on Prisons and Prisoners, and the Prevention of Crime. By Joseph Kingsmill, A.M., Chaplain of Pentonville Prison. London: Longman and Co. Second Edition, 1852—Third Edition, 1854.</p> <p>20. The Philosophy of Ragged Schools. London: Pickering, 1851.</p>	361
VI.—	<p>EMIGRATION, EMIGRANTS, AND EMIGRANT SHIPS :</p> <p>1. Annual Report of the Colonial Land and Emigration Commissioners. 1853. Presented to Both Houses of Parliament by Command of her Majesty.</p> <p>2. Act for the Better Regulation of Passenger Ships. 15th and 16th of Victoria, Chapter 44. Royal Assent, 1852.</p> <p>3. Memorandum on the Same, for the Use of Emigration Offices. Published by the Emigration Commissioners, 1853.</p> <p>4. Reports to the Board of Trade, on the Loss of "The Annie Jane" and "Tayleure" Emigrant Ships, 1854.</p>	430

THE
IRISH QUARTERLY REVIEW.

No. XV.—SEPTEMBER, 1854.

VOL. IV.

CONTENTS.

ARTICLE.

PAGE.

I.—THE ENDOWED SCHOOLS OF IRELAND:—

1. Report from The Select Committee on Foundation Schools and Education in Ireland. Ordered by the House of Commons to be Printed, 9th August, 1838.
2. Suggestions for a Reform of the Royal Schools of Ireland, in a letter to Colonel Rawdon, M.P. By Rev. Richard H. Wall, D.D. Dublin: Hodges and Smith. 1851
3. The Necessity for an Intermediate System of Education Between the Schools and Colleges in Ireland. By Rev. James M'Coish, LL.D. Professor of Logic and Metaphysics in Queen's College, Belfast. Belfast: Shepherd. 1854. 473

II.—THE HISTORICAL SOCIETY OF TRINITY COLLEGE, DUBLIN:—Second Era. 502

- III.—JOHN BANIM:—Part II. Restored Health. Life in Kilkenny. Removal to Dublin. Abandonment of Art, and Adoption of Literature as a Profession. Life in Dublin. Letters. Obtains Charter for Royal Irish Academy, and is Thanked by Vote of Irish Artists. Letters. Publishes "The Celt's Paradise," and Dedicates it to the Late Lord Cloncurry. Extracts. Contemplates Removing to London. Letters. Play of "Damon and Pythias" Acted at Covent Garden: Its success. Extracts. Letters. Visit to Kilkenny after first Literary success. First Idea of Novel Writing. Publishes Pamphlet on the Erection of a Testimonial Commemorative of Visit of George IV. to Ireland. 527

IV.—PRISONS AND PRISON DISCIPLINE, PAST AND PRESENT :—

1. Chapters on Prisons and Prisoners. By Joseph Kingsmill, M. A. Chaplain of Pentonville Prison, London. Third Edition. London : Longman and Co. 1854.
2. Prison Discipline; and the Advantages of the Separate System of Imprisonment, With a Detailed Account of the Discipline now Pursued in the New County Gaol at Reading. By the Rev. J. Field, M.A. Chaplain, 2 vols. London : Longman and Co. 1848.
3. Charge Delivered by Matthew Davenport Hill, Recorder of Birmingham, to the Grand Jury of that Borough, on the 20th of October, 1853, at the Michaelmas Quarter Sessions of the Peace. London : Longman and Co. 1853.
4. Chaplain's Twenty-ninth Report, on the Preston House of Correction. Presented to the Magistrates of Lancashire, 1853. London : Whittaker and Co. 1853.
5. Account of the Public Prison of Valencia, With Observations. By Captain Maconochie, R.N., K.H. London : Charles Gilpin. 1852. 559

V.—THE DUBLIN HOSPITALS AND THE BLUNDERS OF THE CENSUS :—

1. Report from the Select Committee on Dublin Hospitals; Together with the Proceedings of the Committee. Ordered by the House of Commons, to be Printed, 29th June, 1854.
2. The Census of Ireland for the Year 1851. Part III. Report on the Status of Disease. Presented, to Both Houses of Parliament, by Command of Her Majesty. Dublin : Alexander Thom. 1854.
3. On Famine and Fever, as Cause and Effect in Ireland; With Observations on Hospital Location, and the Dispensation in Out-door Relief of Food and Medicine. By D. J. Corrigan, M.D., M.R.C.S.E. Dublin : Fannin and Co. 1846.

4. Report of Commissioners Appointed to Inspect Charitable Institutions in Dublin, Receiving Grants from the Public Funds. 1842. Ordered, by the House of Commons, to be Printed, 16th June, 1842.

5. Report of the Commissioners of Health, Ireland, on the Epidemics of 1846 to 1850. Presented to Both Houses of Parliament, by Command of Her Majesty. Dublin: Thom. 1852.

635

VI.—ENGLISH SONGS AND ENGLISH MUSIC:—

The Illustrated Book of English Songs, From the Sixteenth to the Nineteenth Century. Third Edition. Illustrated London Library. London: Ingram and Cook. 1853.

671

VII.—REFORMATORY SCHOOLS IN FRANCE AND ENGLAND:

1. Report of M. de Persigny, Minister of The Interior, On the Public Prisons of France. Published in "The Moniteur" of May 17th, 1854.

2. Rapport de M. Demetz, Directeur de la Colonie Agricole de Mettray. 1854.

3. Two Letters, Dated, Respectively, June 2nd, and June 8th, 1854, By the Rev. Sydney Turner, M.A. Published in "The Times."

4. "Leaders" of "The Times" of December 22nd, 1853, and June 7th, 1854.

5. Report of the Proceedings of the Second Conference on the Subject of Juvenile Delinquency, and Preventive and Reformatory Schools, Held at Birmingham, December 26th, 1853. With an Introduction and Appendices by the Secretaries. London: Longman and Co., 1854.

6. Crime, Its Amount, Causes and Remedy. By Frederick Hill, Barrister-at law, late Inspector of Prisons. London: Murray, 1853.

7. Report of Committee on Criminal and Destitute Juveniles. Presented to the House of Commons, December, 1852.

8. Juvenile Delinquents, Their Condition and Treatment. By Mary Carpenter, Author of "Reformatory Schools for The Children of the Perishing and Dangerous Classes and Juvenile Offenders." London : W. & F. G. Cash. 1853.
9. Draft Report on the Principles of Punishment, Presented to the Committee on Criminal Law, Appointed by the Law Amendment Society, in December, 1846. By Matthew Davenport Hill. London : 1847.
10. Report of a Charge Delivered to the Grand Jury of the Borough of Birmingham, at the Michaelmas Quarter Sessions for 1848. By the Recorder. London : Charles Knight, 1848.
11. Mettray, A Lecture Read Before the Leeds Philosophical and Literary Society. By Robert Hall, M.A., Recorder of Doncaster ; an Honorary Member of the Society. London : W. & F. G. Cash. 1854.
12. Thirty-Second Report of the Inspectors General, on the General State of the Prisons of Ireland, 1853, with Appendices. Presented to Both Houses of Parliament, By Command of Her Majesty. Dublin : Thom. 1854. 691

THE
IRISH QUARTERLY REVIEW.

No. XVI.—DECEMBER, 1854.

VOL. IV.
CONTENTS.

ARTICLE.	PAGE.
I.—THE FUTURE OF THE WORKING CLASSES :— An Essay on the Relations Between Labour and Capital. By C. Morrison. London : Longman, Brown, Green, and Longmans. 1854.	793
II.—JOHN BANIM :—Part III.— First Plan of "Tales by the O'Hara Family." Michael Banim's Share in them. Their Design. John Banim's Marriage. Removal to London. Letters. Hints to Novelists. Literary Struggles. Letters. Illness. Li- terary Employment. Illness of Mrs. Banim. Love of Home. Letters. Plays. His Opinions of Literary Men. Acquaintance with Washington Irving. Connec- tion with Drury-Lane Theatre. Letters. Progress of First Series of "Tales by the O'Hara Family." Con- nection with Arnold and the English Opera House. Opinions of Kean, Miss Kelly, Washington Irving and others. Letters. Acquaintance with Gerald Griffin. Their Friendship. Misunderstanding between them. Letters. Illness. Publishes "Revelations of the Dead- Alive;" Extracts. Obtains Publisher for "Tales by the O'Hara Family." Letters.	825
III.—CONVICT SYSTEMS—PAST AND PRESENT :— 1. Reports of the Directors of Convict Prisons, on the Discipline and Management of Pentonville, Parkhurst, and Millbank Prisons, and of Portland, Portsmouth, Dartmoor, and Brixton Prisons, and the Hulks, for the year 1853. Presented to both Houses of Parliament, by Command of Her Majesty. London : George E. Eyre and William Spottiswoode. 1854.	

2. Annual Report of the Inspectors of Government Prisons in Ireland, for the year ending 31st December, 1852. With Appendices. Presented to both Houses of Parliament, by Command of Her Majesty. Dublin: Alexander Thom and Sons. 1854.
3. Report on the Discipline and Management of the Convict Prisons, and Disposal of Convicts, 1852. With Notes on the Convict Question, Construction of Prisons, Hard Labour, &c. &c. By Lieutenant-Colonel Jebb, C.B., Surveyor General of Prisons, Chairman of the Directors, &c. Presented to both Houses of Parliament, by Command of Her Majesty. London: George E. Eyre and William Spottiswoode. 1853.
4. An Act to Substitute in Certain Cases, other Punishment in lieu of Transportation, 20th August, 1853.
5. Chapters on Prisons and Prisoners, by Joseph Kingsmill, M.A., Chaplain of Pentonville Prison, London. Third Edition. London: Longman and Co. 1854.
6. Crime: Its Amount, Causes, and Remedies, by Frederick Hill, Barrister-at-Law, late Inspector of Prisons. London: John Murray. 1853.

870

IV.—REMOVAL OF IRISH POOR :—

Minutes of Evidence taken before Select Committee appointed to inquire into the Operation of the Act 8 & 9 Vict. c. 117, relating to the Removal from England of Chargeable Poor Persons Born in Scotland, Ireland, the Isle of Man, Scilly, Jersey, or Guernsey; and also into the Operation of the Act 8 and 9 Vict. c. 83, relating to the Removal from Scotland of Chargeable Poor Persons Born in England, Ireland, or the Isle of Man. 1854.

917

V.—NATIONAL, FACTORY, AND REFORMATORY SCHOOLS—

FIRST PAPER—NATIONAL SCHOOLS :—

1. Lord Brougham's Speeches Upon National Education, House of Lords, 24th July and 4th August, 1854. London: Ridgeway. 1854.
2. Report from the Select Committee of the House of Lords, Appointed to Inquire into the Practical Working of the System of National Education in Ireland; and to Report thereon to the House; together with the Minutes of Evidence, Appendix and Index, Session 1854. Brought from the Lords, 11th August, 1854. Ordered, by the House of Commons, to be Printed, 12th August. 1854.

3. The Twentieth Report of the Commissioners of National Education in Ireland, (For the year 1853.) With Appendices. Presented to both Houses of Parliament by Command of Her Majesty. Dublin: Thom. 1854.
4. Education in Great Britain, Being the Official Report of Horace Mann of Lincoln's Inn, Esq., Barrister-at-Law, To George Graham, Esq., Registrar-General; with Selected Tables. London: Routledge and Co. 1854.
5. Religious Worship in England and Wales, Abridged from The Official Report Made by Horace Mann, Esq. to George Graham, Esq., Registrar-General. London: Routledge and Co. 1854.
6. Education Reform; or, The Necessity of a National System of Education. By Thomas Wyse, Esq., M.P. London: Longman and Co. 1836.
7. National Education; Its Present State and Prospects. By Frederick Hill. London: Charles Knight. 1836.
8. The Social Condition and Education of the People in England and Europe; Shewing the Results of the Primary Schools, and of the Division of Landed Property, in Foreign Countries. By Joseph Kay, Esq., M.A. of Trinity College, Cambridge; Barrister-at-Law; and late Travelling Bachelor of the University of Cambridge. London: Longman and Co. 1850.
9. Public Education as Affected by the Minutes of the Committee of Privy Council, from 1846 to 1852; with Suggestions as to Future Policy. By Sir James Kay Shuttleworth, Bart. London: Longman and Co. 1853.
10. Suggestive Hints Towards Improved Secular Instruction, Making it Bear upon Practical Life. Intended for the Use of Schoolmasters and Teachers in our Elementary Schools, for those engaged in the Private Instruction of Children at Home, and for others taking an Interest in National Education. By the Rev. Richard Dawes, A.M., Dean of Hereford. Sixth Edition. London: Groombridge. 1853.
11. Special Reports By The Directors to the Proprietors of Price's Patent Candle Company, Respecting that part of the Proceedings of the Annual General Meeting of the Company, 24th March, 1852, which has reference to the Educational, Moral, and Religious Charge to be taken by the Company over the Persons, (and especially the Young Persons) in its Employment; with Eight other Pamphlets on this important Subject. By James P. Wilson, Esq., Managing Director of the Company. 1851 to 1854.

12. Chaplain's Twenty-Third Report of the Preston House of Correction. Presented to the Magistrates of Lancashire, 1846. Twenty-Fifth Report of Chaplain for same Prison, 1848. Thirtieth Report of same, 1853.
13. Crime; Its Amount, Causes, and Remedy. By Frederick Hill, Barrister-at-Law, Late Inspector of Prisons. London: Murray. 1853.
14. Juvenile Delinquents, Their Condition and Treatment. By Mary Carpenter. London: Cash. 1853.
15. Reformatory Schools for the Children of the Perishing and Dangerous Classes, and Juvenile Offenders. By Mary Carpenter. London: Gilpin. 1852.
16. Report of the Proceedings of a Conference on the Subject of Preventive and Reformatory Schools, Held at Birmingham, on 9th and 10th December, 1851; also Report of Second Conference, Held December 26th, 1853. London: Longman and Co. 1851 and 1854.
17. Report of Committee on Criminal and Destitute Juveniles. Presented to the House of Commons, December, 1852.
18. A Charge Delivered to the Grand Jury of Birmingham, at the Opening of the Sessions, Held Monday, September 4th, 1854. By Matthew Davenport Hill, Esq., Q.C. Recorder of Birmingham; and also various other Charges of the Recorder.
19. An Act for the Better Care and Reformation of Youthful Offenders in Great Britain. 17th and 18th Victoria, Chapter 86. 1854. 1042

VI.—THE CENSUS, PART III. *v.* THE DUBLIN HOSPITALS:

1. The Census of Ireland for the year 1851. Part III. Report on the Status of Disease. Presented to both Houses of Parliament, by Command of Her Majesty. Dublin: Alexander Thom. 1854.
2. Report from the Select Committee on Dublin Hospitals; Together with the Proceedings of the Committee. Ordered by the House of Commons to be Printed, 29th June, 1854.
3. The Irish Quarterly Review. Vol. IV. No. 15, Art. The Dublin Hospitals, and the Blunders of the Census. 1161

QUARTERLY RECORD OF THE PROGRESS OF REFORMATORY AND RAGGED SCHOOLS, AND OF THE IMPROVEMENT OF PRISON DISCIPLINE.

1189

PARIS CORRESPONDENCE. No. I.

THE

IRISH QUARTERLY REVIEW.

No. XIII.—JANUARY, 1854.

ART. I.—OUR JUVENILE CRIMINALS :—THE
SCHOOL-MASTER OR THE GAOLER.

1. *Report of Committee on Criminal and Destitute Juveniles.* Presented to House of Commons, in December, 1852.
2. *The Condition and Education of Poor Children in English, and in German Towns.* By Joseph Kay, Esq., M.A. of Trinity College, Cambridge, Barrister-at-Law; Published for The Manchester Statistical Society. London: Longman and Co., 1853.
3. *Memoirs of Convicted Prisoners; Accompanied by Remarks on the Causes and Prevention of Crime.* By the Rev. H. S. Joseph, Chaplain of Chester Castle. London: Wertheim and Mackintosh, 1853.
4. *A Place of Repentance; or an Account of the London Colonial Training Institution and Ragged Dormitory, for the Reformation of Youthful and Adult Male Criminals, Great Smith Street, Westminster.* By Samuel Martin, Minister of Westminster Chapel. Second Edition. London: James Nisbet and Co., 1852.
5. *Juvenile Depravity. £100 Prize Essay.* By Rev. Henry Worsley, M.A., Late Michel Scholar of Queen's College, Oxford, Rector of Easton, Suffolk. Dedicated By Special Permission to The Lord Bishop of Norwich. 1 vol. London: Charles Gilpin, 1849.
6. *London Labour and the London Poor; A Cyclopædia of the Condition and Earnings of those that Will Work, Those that Cannot Work, and Those that Will Not Work.* By Henry Mayhew, 2 vols. London, 1851.

7. *The Million-Peopled City ; or One Half of the People of London Made Known to the other Half.* By John Garwood, M.A., Clerical Secretary to the London City Mission, and Editor of "The London City Mission Magazine." 1 vol. London: Wertheim and Mackintosh, 1853.
8. *The Rookeries of London : Past, Present and Prospective.* By Thomas Beames, M.A., Preacher and Assistant of St. James', Westminster. Second Edition. 1 vol. London: Thomas Bosworth, 1852.
9. *Meliora : or; Better Times to Come. Being the Contributions of Many Men Touching the Present State and Prospects of Society.* Edited By Viscount Ingestre, 1st series, 2nd Edition 1852: 2nd series, 1853. London: John W. Parker and Son.
10. *The Social Condition and Education of the People in England and Europe ; Shewing the Results of the Primary Schools, and of the Division of Landed Property, in Foreign Countries.* By Joseph Kay, Esq., M.A., of Trinity College, Cambridge, Barrister-at-Law ; and Late Travelling Bachelor of the University of Cambridge. 2 vols. London: Longman and Co., 1850.
11. *Chapters on Prisons And Prisoners.* By Joseph Kingsmill, M.A., Chaplain of Pentonville Prison, London. Second Edition, 1 vol. London: Longman and Co., 1852.
12. *Prison Discipline ; and the Advantages of the Separate System of Imprisonment, with a Detailed Account of the Discipline Now Pursued in the New County Gaol, At Reading ;* By the Rev. J. Field, M.A., Chaplain. 2 vols. London: Longman and Co., 1848.
13. *University and Other Sermons.* By John Field, M.A., of Magdalene Hall, Oxon, Chaplain of The Berkshire Gaol, Reading, 1 vol. London: Longman and Co., 1853.
14. *Crime : its Amount, Causes and Remedies.* By Frederick Hill, Barrister-at-Law, Late Inspector of Prisons, 1 vol. London: John Murray, 1853.
15. *Crime in England, Its Relative Character and Extent, as Developed From 1801 To 1848.* By Thomas Plint. London: Charles Gilpin, 1851.

16. *Report on the Discipline and Management of the Convict Prisons, and Disposal of Convicts, 1852, With Notes on the Convict Question, Construction of Prisons, Hard Labour, &c., &c.* By Lieut. Col. Jebb, C. B., Surveyor-General of Prisons, Chairman of the Directors, &c. Presented to both Houses of Parliament, by Command of Her Majesty. London: 1853.
17. *Reports of the Directors of Convict Prisons on the Discipline and Management of Pentonville, Parkhurst, and Millbank Prisons, and of Portland, Portsmouth, and Dartmoor Prisons, and the Hulks, for the year 1852.* Presented to both Houses of Parliament by Command of Her Majesty. London: 1853.
18. *Social Evils: Their Causes and their Cure.* By Alexander Thomson, Esq. of Banchory. London: James Nisbet and Co. 1852.
19. *Reformatory Schools, For the Children of the Perishing and Dangerous Classes, and for Juvenile Offenders.* By Mary Carpenter. London: C. Gilpin. 1851.

We have already written,* at considerable length, upon the lamentable moral and social condition of the laboring poor in our town and agricultural districts; but painful as that essay, in all its patent facts and indisputable evidences was, it disclosed its chiefest, and most appalling truth, in the statement that the mode of live revealed was not guilty in the eye of the Legislature, though black and hideous in its habitual sin, judged by the unchanging laws of an omniscient Almighty. Thus having placed before the mind of the reader, the state of those who are not criminal according to the national code, we shall, in our present paper, display the causes which conduce to make those guilty whom the law so considers, and we shall indicate the failures and the successes of the various methods of reformatory punishments which the Executive has adopted, under the different species of Prison Discipline—referring particularly to the state of our destitute and criminal juvenile poor, or, as they have been, with woful appropriateness, designated—"our Home Heathens."

Why, it has been frequently asked, is crime so prevalent

* See IRISH QUARTERLY REVIEW, Vol. III. No. 10. p. 299. Art.—The Garret, The Cabin, and The Gaol.

and so glaring, in a country great, and intelligent, and noble as England? Upon whatever shore her sons may reside, her freedom and her Bible become the first gifts which these sons offer to the people amongst whom they sojourn. England expends millions annually in propagating scripture truth : in every island of the far off seas her Missioners raise the hymn of praise, and teach the fierce savage the law of love, of truth, and the great mystery of expiation. At home, in our own Kingdoms, churches rise in every quarter of the land, and devoted to the service of Religion is a Press, able and honest, and issuing publications so cheap that none who desire to read them can, through poverty, fail to obtain the wished for work. Schools, and hospitals, and poor houses, charitable institutions that give a christian nobleness to the name of England, are open to all who need their aid. An active, intelligent, police watch over the internal peace and security of the Nation, and our prisons are in all points calculated to secure the custody of the offender against the laws :—yet, notwithstanding the Christianity, the care, the wealth, the wisdom, which distinguish the policy of England, the great mass of our poor are ignorant of God's law, thousands of our criminals know not the name of Christ, our juvenile poor are every day becoming, more and more, a race of juvenile yet hardened offenders—whilst children in years cursed with all the evil propensities of men—the great majority of our prisons are but the seminaries of vice, the plotting places of crimes, whilst our criminal law is little less than legislative vengeance, as cruel and indiscriminating as it is unphilosophical. We call Caligula a monster because he hung his table of edicts so high that none could read them, though all were punished for any infraction of the code—but the laws *were* written : we, a Christian Nation, treat our criminals worse than this heathen emperor treated his subjects—we punish their crimes, but we never taught them virtues. Despite these laws, and through these laws, crime has increased, and the number of the criminal population of London is now double that of the entire population of the city in the reign of Richard the Second.

The criminal population to which we refer is not that polluted by great offences against morality. True, we must bear in mind that murder, and foul crimes, are noted in the statistics of the prison reports, but the minor offences are those to which the legislator or the philanthropist must direct his

chief attention. Death to the murderer is the decree of the law, transportation is recorded against the robber; but the murderer may have been once but an ignorant man of strong untutored passions, the robber may have been a petty thief, who knew no law but the law of hunger, and whose instincts were only those of an animal. To check, to guide into christian peace, the violence of the former; to teach the rules of honesty and self-dependent industry to the latter, would have been the duty of a wise government had the offenders been before within the walls of a prison; had they been guiltless of former crime, their minds should have been blessed with sound education, and the principles of religious training; and had parents been unwilling to send them to educational institutions, the legislature should, in the exercise of its great power, have compelled the parents to permit the attendance of the child.

The whole philosophy of the important books before us tends to prove the accuracy of these statements. The course of crime is not an impenetrable mystery; and he who reads the calmly reasoned deductions adduced by Mr. Field, and Mr. Kingsmill, in detailing the sad experiences of their ministry, will learn that, although the convict may be frequently but suffering a just punishment for his crime, yet still more frequently he endures punishment for an offence, the primary cause of which may be fairly attributed to the imperfection of our system of legislation upon subjects affecting the social and moral state of the people. Though Crime in these Kingdoms, is of many phases of atrocity, it can, in most instances, be traced to its sources. The Rev. Mr. Kingsmill, Chaplain of Pentonville Prison, has had opportunities such as few men possess, of examining into the causes of crime. He took the cases of one hundred convicts, and from their own confessions arrived at the conclusion—and with this conclusion the reader of his book must agree—that the chief springs of vice are found in the bad example of parents, ignorance of religion, the difficulty of obtaining employment, bad company, idleness, poverty, bad books, and vicious amusements, such as cheap theatres, and dancing saloons, where, to other vices, the giant evil Drunkenness is superadded. The *Report of Committee on Criminal and Destitute Juveniles* affords remarkable evidence in support of this statement, and it is in all points most fully corroborated by Mr. Kay, by Mr. Field, and by Mr. Thomson.

None who read our Prison Reports can doubt that paren-

tal example, and even parental precept, are sure sources of crime. To minister to the parents' drunkenness, children are sent out to beg and steal in the cold streets at midnight, and if they return to their wretched homes—their kennels, unprovided with the required sum, blows and starvation are the unfailing penalties. Female children are sent out upon the world to bring home the wages of prostitution, to parents who are more degraded than the pagan. In these abodes of sorrow and crime the name of God is never heard but in imprecation, every command of the Almighty is outraged, and men and women live as if death were annihilation, and as if their souls were fraught with the instincts of a beast. We state here but plain facts which all men should know. Hundreds will read with horror this extract:—"J. D. is a thief. His father lives unlawfully with his mother, and also with one of her daughters by another person. Here they had long been all huddled into one small room. The younger female, on the occasion of my last visit, had twins in her arms about a week old, the children of this man."* These are appalling words, but in the *Reports of the City Mission*, in the *Ragged School Magazine*, in each of the books under review these facts, and others still more frightful, are recorded—and thus we learn the truth of the statement—that although the number of these aged from fifteen to twenty is not one tenth of the population, yet by this class of juvenile offenders one fourth of the national crime is committed. The number of boys of fifteen and under brought every fortnight before Mr. Sergeant Adams, Chairman of the Middlesex Sessions, is about 100; some are, he states, entirely without friends or relatives of any kind; some have profligate parents who neglect them; another class have step-fathers or step-mothers, who abuse and ill treat them; some have parents *who encourage them*; and almost all are quite uninstructed in religious, moral, and social duties. He adds, "I should say that the evil is far more deeply seated than in the *natural disposition* of the children themselves. I do not think *that they are naturally worse than other children*; but that their offences spring from the want of proper moral and reli-

* See "Notes and Narratives of a Six Years' Mission, principally among the Dens of London." By R. W. Vanderkiste. London: Nisbet and Co. 1853. p. 253.

gious education, and in the want of proper friends to attend to them.”*

What a sad moral this statement conveys, but the facts upon which it is founded are still more sad, and the true causes of juvenile crime may be learned by all who walk through the poorer streets of our towns. On all sides are foul and hideous dens, where dwell, in godless ignorance, the parents of a race of future criminals. The steam ship may be built, the railway train, and the electric telegraph may be a blessing to the Nation, the steam press may print its thousands of sheets per hour, and send forth magic thoughts to bless the world, and make humanity all glorious, but the “City Arabs,” the poor, cast-away human weeds, who grovel in the kennels, who are children only in form and years, will one day become our convicts; and whilst the power, and wealth, and fame of the Kingdoms advance, the condition of the poor retrogrades, and a great people act as if the sole duty of a Legislature consisted in permitting the continuation of abuses, involving the poor in sin and misery, and the tax payers in expense; and this is done though all admit, in the eloquent words of Channing, that a Government “should supply moral wants, snatch every child from perdition, and waken in him the spirit and powers of a man.”

The poor cannot do these things, even if they would. They must go forth in the morning to toil for daily bread, and children then become an incumbrance, and are sent upon the streets to mingle with the bad and dishonest of the neighbourhood. Mr. Chesterton, the Governor of Coldbaths Fields House of Correction, stated to the Committee on Criminal and Destitute Juveniles; “I think one great cause of juvenile crime is the shocking state of the neighbourhoods in which those boys reside. They are contaminated by associating with profligate persons, from the utter impossibility of affording those children any recreation without allowing them to go into the streets, where they associate with bad characters. An honest labourer or drayman, for instance, taking a lodging in a locality where alone his means will permit him to live, must send his children into the streets; *and it is from thus associating with vicious characters in the streets that the boys become thieves and the girls prostitutes.*”

* See Report on Criminal and Destitute Juveniles. 1852.

Those children whose parents are unwilling to work, are sent out to beg, or steal; those who are orphans, or who are neglected by parents, prowl through the lanes and alleys of our towns by day, and at night sleep in those hells, the common lodging houses, or in carts, or under archways, exposed to all the contamination of those better schooled in vice, or more deeply stained by sin. In such places as these our destitute children sleep—and it is calculated that in the Metropolitan Police District alone, between 50,000, and 100,000 persons of both sexes, and of all ages, pass the night in these wretched spots.

Mr. Beames, in his valuable work, *The Rookeries of London*, attributes the existence of common lodging-houses to avarice upon the part of the proprietors, and to neglect upon the part of the Legislature. In some of the districts of London where the poor reside, he tells us that he has known twelve people to sleep in rooms measuring eight feet by twelve, whilst the ceiling was so low that a tall man could not stand upright in the apartment. He tells us that he has known young thieves, varying in age from six years to twelve, to club together and live in such rooms in parties of seventeen. Mr. Mayhew, in his *London Labor and the London Poor*, thus describes these common lodging houses. The description, frightful as it is, was the revelation of one who had lived in these houses, and Mr. Mayhew gives the words of the narrator:—

“The worst I am acquainted with, though I have not been in it lately, is in the neighbourhood of Drury-lane: this is the worst, both for filth, and for the character of the lodgers. In the room where I slept, which was like a barn in size, the tiles were off the roof, and as there was no ceiling, I could see the blue sky from where I lay. That may be altered now. Here I slept in what was called the single men's room; and it was confined to men. In another part of the house was a room for married couples as it was called; but of such apartments, I can tell you more concerning other houses. For the bed with the blue sky I paid 3d. If it rained there was no shelter. I have slept in a room in Brick-lane, Whitechapel, in which were fourteen beds. In the next bed to me, on the one side, was a man, his wife, and three children, and a man and his wife on the other. They were Irish people, and I believe the women were the men's wives—as the Irish women generally are. Of all the women that resort to these places, the Irish are far the best for chastity. All the beds were occupied, single men being mixed with the married couples. The question is never asked, when a man and woman go to a lodging-house, if they are man and wife. All must pay before they go to bed, or be turned into the street. These beds

were made—as all the low lodging-house beds are—of the worst cotton flocks, stuffed in coarse, strong canvas. There is a pair of sheets, a blanket, and a rug. I have known the bedding to be unchanged for three months; but that is not general. The beds are an average size. Dirt is the rule with them, and cleanliness the exception. They are all infested with vermin; I never met with an exception. No one is required to wash before going to bed in any of those places, (except at a very few, where a very dirty fellow would not be admitted,) unless he has been walking on a wet day without shoes or stockings, and then he must bathe his feet. The people who slept in the room I am describing were chiefly young men, almost all accompanied by young females. I have seen girls of fifteen sleep with 'their chaps'—in some places, with youths of from sixteen to twenty. There is no objection to any boy and girl occupying a bed, even though the keeper knows they were previously strangers to each other. The accommodation for purposes of decency is very bad in some places. A pile in the middle of a room, to which both sexes may resort, is a frequent arrangement. No delicacy or decency is ever observed. The women are, I think, worse than the men. If any one, possessing a sense of shame, says a word of rebuke, he is at once assailed, by the women in particular, with the coarsest words in the language. The Irish women are as bad as the others with respect to language, but I have known them keep themselves covered in bed when the other women were outraging modesty or decency. The Irish will sleep anywhere to save a halfpenny a night, if they have ever so much money. It is not uncommon for a boy or man to take a girl out of the streets to these apartments. Some are the same as common brothels, women being taken in at all hours of the night. In most, however, they must stay all night as a married couple. In dressing or undressing there is no regard to decency, while disgusting blackguardism is often carried on in the conversation of the inmates. I have known decent people, those that are driven to such places from destitution, perhaps at the first time, shocked and disgusted at what they saw. I have seen a decent married pair so shocked and disgusted, that they have insisted on leaving the place, and have left it. A great number of the lodging-houses are large old buildings, which were constructed for other purposes; these houses are not so ill-ventilated, but even there, where so many sleep in one room, the air is hot and foul. In smaller rooms, say twelve feet by nine, I have seen four beds placed for single men, with no ventilation whatsoever, so that no one could remain inside in warmish weather, without every door and window open; another room in the same house, a little larger, had four double beds, with as many men and women, and perhaps with children. The Board of Health last autumn compelled the keepers of these places to whitewash the walls and ceilings, and use limewash in other places; before that, the walls and ceilings looked as if they had been blackwashed, but still you could see the bugs creeping along those black walls, which were not black enough to hide that. In some houses in the summer you can hardly place your finger on a part of the wall free from bugs. I have scraped them off by hand-falls."

It might be objected that these descriptions are exaggerated, but Mr. Garwood, Mr. Vanderkiste, the Inspectors of Police, and the *Reports of the City Mission*, all prove the facts, with other and more appalling evidences. Viscount Ingestre, of whom his order may well feel proud, visited these spots, and in his *Letters to a Friend** corroborated the statements, and in calculating the enormous profit derived by the owners of the lodging houses, drew the same conclusion as that adopted by Mr. Beames—namely, that avarice and governmental carelessness are the mainsprings of the entire evil. Lord Ingestre found, in the neighbourhood of Church Lane, St. Giles, a district which Mr. Mayhew and Mr. Beames proved to be the seed plots of crime, that those who herd in the kennels above described pay from two pence to four pence per night. The real owner receives about thirty pounds per annum for an eight-room house, the tenant of which receives ten pounds per annum for each room, by letting it to his miserable lodgers at three pence, per head, per night—and he secures himself by demanding payment before the lodger enters the room. These houses are not confined to London; they exist in England, Ireland, and Scotland, under the eye of the Police, plague spots in the commonwealth sending forth their myriad criminals, young and old, to bring destruction upon themselves, disgrace upon the nation, and accumulated claims upon the revenue. The places and the people are the same, whether situated in the Liberty of Dublin, the Slums of London, or the Wynds of Edinburgh and Glasgow; as Cardinal Wiseman has said, they are “nests of ignorance, vice, depravity, and crime, as well as of squalor, wretchedness, and disease; whose atmosphere is typhus, whose ventilation is cholera; haunts of filth which no sewerage committee can reach; dark corners which no lighting board can lighten.” Churchmen and laymen, official and non-official witnesses, all religions, and all classes of society, agree in evidence as to the condition of these places, and in attributing to their contaminating influences the great mass of juvenile crime; and with the statement of one who writes upon social abuses with an eloquence, an energy, and an ability rarely surpassed, we shall pass to another portion of this momentous

* See “*Meliora*,” First Series, Second Edition, pp. 157, 180. See also Mr. Worsley’s “*Essay on Juvenile Depravity*,” p. 105, and the Prison Reports of 1841—Southern and Eastern District, p. 148.

but melancholy subject,—our witness is the Honorable and Reverend Sidney Godolphin Osborne, who, in his paper, *Immortal Sewerage* thus writes in describing the condition of the Glasgow common lodging houses :—

“It needs not that I make the attempt to describe each separate room into which we penetrated ; their common features were all of one cast, and that the blackest. Small square or oblong places, they were crammed with human life, and the insect life which finds a living on and about our kind when cleanliness and decency are absent. There were dogs, and a few cats ; these were, to all appearance, the cleanliest creatures we saw. On the ground as the rule, on rotten bedsteads as the exception, lay human beings of all ages and sexes ; some of the children perfectly naked, many, even of the women, nearly so. The bedding black rags, nondiluviated relics of blankets and old clothes. There was aged vice, with crimes life-written in the lineaments of countenances which had known little of rest, except that gained in the insensibility of the last stage of intoxication. There were many young, almost infant girls,—not brazened in their course, for they had never known shame,—but wearing the appearance of their childish debauchery as the clothing of their very nature. Virtue would indeed have appeared as an exotic on such a soil as that we then walked. There was the returned convict, but little clothed, on a filthy bed, a prisoner again to the women who had enticed him there, robbed him of the rest of his clothes, and thus kept him captive to his nakedness. There were young girls who had followed sin from their birth ; they had returned from their nightly pursuance of it, and wore yet the tawdry finery above their rags and dirt, with which they had endeavoured to hide the fact, that they were the very dregs of the base. ‘Drunk !’ said one ; ‘of course I am. I like it. I am always drunk when I can get the drink.’ She might have been some twenty-one years of age. The very small children, in their perfect nakedness, set off as the comparative whiteness of their skin was, by the uniform blackness of all around them, looked scarce of the same breed of creature : they were of the usual cast found in such places—pale, thin about the frame, protuberant in the abdomen from disease, with a startled and yet stupid look at the gentlemen who had so abruptly, by their intrusion, caused all the bustle, and hunting for clothes, and hiding of things, before the door was opened. We did not see much actual evidence of drunkenness, nor anything, with the above exception, to prove to us that these dens were anything but the mere refuge-places of the people we found in them. It would be ridiculous to question, in such places, the morality of the way of life, and ask whether the ragged-headed, dirty, half-dressed couple who lay on the floor on rags, with an infant three days old between them, were man and wife ; or whether the four young girls and the other men, some lying, some crouched on the floor, in different degrees of nakedness, were brothers and sisters. From some inquiries I made, it appears to be quite understood, that any bond of alliance between

the sexes, legal or otherwise, was no bar to any course of life which could bring in money for drink or tobacco.”*

From such seminaries of vice as these few results can be expected, save those which are learned from the records of our criminal courts, and from the despatches of our penal settlements. They possess a population of criminal juveniles :—the Earl of Shaftesbury, and Lieutenant-Colonel Jebb, calculate their numbers in London, at 30,000 ; Mr. Thomson believes, and in our opinion with proof, that they amount to 60,000 souls, and worse than all, *their numbers increase*. Of this latter fact there can be no doubt, for it is proved, with his usual accuracy and force, by Mr. Kay. In the year 1843 the number of persons under twenty years of age taken into custody in London amounted to thirteen thousand, six hundred ; but in 1848 the numbers had risen to sixteen thousand, nine hundred and seventeen ; showing an increase in five years of the proportion of criminals under twenty years of age, to the increase of the population of London of that age,—in the former case 1 in 47, in the latter 1 in 56.† But this is not the full measure of the increase of crime. By the *Report of the Criminal Law Committee* of 1847, it appears that in the five years preceding 1810, the average number of commitments in England and Wales was four thousand, seven hundred, and ninety-two ; the convictions two thousand, eight hundred and forty, whilst the population of the age of ten years and upwards amounted to seven millions, three hundred and twenty-two thousand, six hundred : but in the five years preceding 1845, the average annual number of commitments was twenty-eight thousand, four hundred and seventy-seven, and the convictions twenty thousand, five hundred and ninety ; the population ten years old and upwards has increased sixty-five per cent, whilst the proportionate number of commitments for crime has augmented four hundred and ninety-four per cent, and the convictions six hundred and twenty-five per cent. In fact, as Mr. Pearson, the City Solicitor, stated to the last-named Committee—within the past ten years, “the number of juvenile criminals annually convicted in England and Wales has increased in a greater ratio than even the mass of the criminals at large.” To this statement we may add

* See “*Meliora*,” Second Series, p. 9.

† See Mr. Kay's Pamphlet, p. 23.

that of Mr. Sergeant Adams, who, in his evidence before the Committee on Criminal and Destitute Juveniles, estimated the juvenile criminals convicted in the year 1851, to number eleven thousand, six hundred and seventeen.

Strange as these evidences may seem to the majority of our readers, they are but the every day phases of life amongst our ignorant and godless poor. Birmingham, Preston, Liverpool, Glasgow, Cork, and Dublin, have their population of criminals, varying in age from six to seventeen years, and many of these whose years reach fourteen cohabit with girls of their own age.* In Newcastle and Gateshead juvenile crime is increasing four times as fast as the population,—in thirteen years it has doubled its amount; and Mr. Kay states that in the year 1852, six hundred and sixty-three offenders, between eight and seventeen years, were taken into custody by the police of Newcastle. When we know these facts; when we learn that in Manchester alone there are forty-two thousand, nine hundred and forty-two children of the working classes neither at School nor at work; when we find that equally large numbers are in the same neglected condition in other localities; when we find that in the English Work-houses there were, in January, 1852, forty thousand, five hundred and fifty-seven children; when we recollect, too, the contagion of vice to which all these classes of ignorant unemployed youths are exposed, we must all concur in the opinion advanced by Mr Kay who writes,—“There is nothing in town life which is either physically or morally injurious to which these children are not daily exposed from their tenderest years; there is no influence which is pure and elevating that ever reaches many; while from all this misery and sin, most of these young creatures have no means of escape, until the police take pity on them.”

“Until the police take pity on them”—and these words can be written with truth of England—all the prison reports, all the parliamentary reports, all the books before us, prove the fact that, to our juvenile criminal, the prison is the only refuge, the prison chaplain his only friend. From parents he can learn only vice. They live either in concubinage or in adultery; they are ignorant of all religious truth, and in most cases are drunken and dishonest. Juvenile crime, Mr Worsley considers to arise, in the overwhelming majority of cases, from

* See Report of Committee on Criminal and Destitute Juveniles, p. 13.

parental neglect or wickedness; and the entire substance of the *Report on Criminal Juveniles*, is contained in these words of Miss Carpenter, when ascribing the real sources of the young offender's crime,—“an undisciplined childhood, in which no moral or religious influence has been shed, and which has been untrained to any useful industrious habits.”*

To permit the increase of this horde of child-criminals would be dangerous were the numbers few; but our juvenile criminals are a terrible people, increasing year by year; and increasing too through the neglect of the Government, and frequently through the very systems of punishment upon the results of which most sanguine, but most groundless, hopes had been based.

It must be admitted that our towns are the hot beds of crime, but all towns are, and ever must be, more or less, liable to the charge—We, however, take no care to mitigate the evils of aggregation, we adopt no precautions against the vile influences of evil example, and of vicious temptation. Sunday is habitually desecrated; dog fights, and other recreations of the like degrading class, are the common practices of the Lord's Day, and from morning until night, on working days, the beer house and the gin palace are open to all. Those officials who, in the discharge of duty, visit these places, state that there are public houses solely devoted to the supplying of liquors to youths whose ages do not exceed seventeen years. Here are seen boys and girls dancing, smoking and card playing; some are drunk, some are concerting robberies, that the money realized may be spent in drunkenness and prostitution. Those who have observed the results of intoxication inform us, that most of the crimes committed by adults can be traced to this national vice; and to the degradation of the parent who has become addicted to drunkenness, but too many of our juvenile criminals attribute their condition. Mr. Kingsmill states that, in his opinion, and his experience gives weight to the statement, of 28,752 prisoners tried at the assizes and sessions of England in 1851, 10,000 may be estimated, without fear of exaggeration, as having been brought to their deplorable state, directly or indirectly, by the public-house; whilst of the 90,963 summary

* See Miss Carpenter's work—it proves her to be a Christian woman, in no respect inferior in intellect to Mrs. Fry, or in usefulness to Sarah Martin.

convictions in the same year, 50,000, he fears not to assert, were the result of the drinking habits of the individuals themselves, or of their parents, producing poverty, idleness, and vagrancy. He has published, in his most able work, the opinions of forty-seven Chaplains of Gaols, given before Lord Harrowby's Committee on The Beer Bill, by which it is evident that the Beer Shop is the grand source of robbery and moral depravity. We here, in support of our views as to the evil of these places, insert such of those opinions as prove their effect in causing, or in multiplying, juvenile crime. The Reverend Mr. Field, the most admirable Chaplain of Reading Prison, had "ascertained by investigation that about four-fifths of the offences committed by the agricultural population are traceable to beer-houses." The Reverend J. H. Hawes, Chaplain of Abingdon Gaol, attributed "most injurious effects to beer-houses; several prisoners *under twenty years of age* then in custody, acknowledged that 'the beer-shop had done it all.'" The Reverend R. S. Cooper, Chaplain of Gloucester Gaol, "Had been informed by prisoners and others, that much of the seduction and corruption *in early life* among females, is to be traced to their being entrapped into these houses." The Reverend John Davies, Chaplain of Newgate, stated, "Certain beer-shops and public-houses are the *constant resort* of youths who subsist upon whatever articles they can steal and convert into money." The Reverend John Penny, Chaplain of Milbank Prison, knew it to be "a matter of frequent occurrence that *young men*, in writing home, speak of the beer-shop having proved their ruin." The Rev. Edward Faulkner, Chaplain of Worcester Gaol, had found beer-houses "the resort of all sorts of thieves, *young* and old, and places where the *young find a ready instruction in crime*." That veteran combatant against crime, whose philanthropy and patient research into all the sources of vicious life, are only equalled by his ability and never-flagging zeal—the Reverend John Clay, Chaplain of the Preston House of Correction, believed it "impossible for human language to describe the misery and wickedness added to the previous sum of our moral and social ill by beer-houses."*

* See Rev. Mr. Kingsmill's "Prisons and Prisoners," pp. 70, 76. Mr. Kingsmill stated, to Lord Harrowby's Committee, that he could, from experience, "express a very confident opinion, that beer-houses must

If one were to pursue this inquiry to its furthest limit the result would be the same. It would be found that drunkenness is the remote or immediate cause of nearly all the offences of our criminals. Those who have investigated the subject, anxiously and carefully for years, arrive at last at the conclusion, that taken as a nation, we are the most drunken people on earth.*

These are great and important truths; they stand forth in facts and figures in the Prison Reports: we have God's curse against drunkenness thundered from the pulpit, in all the terrible majesty of scripture command. We read the loathsome records of human suffering, and of human debasement produced by the evil, in the Hospital Reports, and in Prize Essays: statisticians prove that more than sixty millions sterling are annually spent in these kingdoms on intoxicating liquors and tobacco—that is, that a sum about equal to the whole National Revenue is squandered on the grand source of vice.† True, the political economist may tell us that this expenditure on liquor produces an increased return to the National Exchequer—but, alas! it causes a double expenditure in the administration of justice, in the estimates for the support of our prisons, and in the expenses of our hospitals.

The law cannot render a people moral, and sober, but it can, and it is the bounden duty of the law to, check the incentives to crime—to make the opening of a public house a difficulty rather than a great facility. This the law does not accomplish; it seems to aid the beer-house keeper in the conduct of his dreadful trade. Few will deny that the butcher, the baker, and the grocer are the tradesmen most needed by the population; yet whilst there are now in London 3,500 grocers, 2,800 bakers, 1,200 buttermen and cheesemongers, 1,500 green grocers and fruiterers, 1,300

be looked upon generally as so many nurseries of crime in the land." See also the papers entitled "The Beer-Shop Evil," By the Hon. and Rev. S. G. Osborne, in "Meliora;" 1st series, p. 1; and "The Maine Law, with Suggestions for its Application to Great Britain," By Mr. Biggs, in "Meliora," 2nd series, p. 216. We believe the plan proposed by Mr. Osborne to be most excellent, but of the practicability and success of Mr. Biggs' "Suggestion," we entertain many doubts.

* See Vanderkiste's Notes and Narratives of a Six Years' Mission, pp. 172 to 231.

† See the late Mr. G. Porter's "Self-Imposed Taxation;" a little treatise well worthy the reputation of the author of "The Progress of the Nation."

dairy keepers, 500 fishmongers, 1,900 butchers,—showing a total of 12,500 in these useful trades, there are in the Metropolis 14,200 public houses. These are not the statistics to which a lover of England's glory, and progress, and stability would refer: but it has been proved that in a population of 1,212,000 souls, in a portion of the manufacturing districts, there are 14,300 public houses; from which it may be stated, that allowing five persons to each family, every seventeen families support a public house.* This is in a great measure to be attributed to our system of legislation upon all questions affecting the revenue arising from distillation.

In the year 1825, the duty on whiskey was very considerably reduced in Scotland and in Ireland, and from that period to the present, the consumption has increased five fold; and the result of the increase has been the spread of Lunacy, Disease, Crime, Pauperism, and Premature Death. No stronger proof of the demoralizing effect of this reduction in the price of intoxicating liquors can be adduced, than that afforded by Lieutenant Colonel Jebb, who, in his *Report on the Discipline and Management of the Convict Prisons, and Disposal of Convicts*, 1852, proves, from the statistics of the Military Prisons, "that whilst the committals for drunkenness among the troops quartered in England, amounted to about 7 in 1,000 men, in Scotland and in Ireland they have amounted to about 20 in 1,000."† Thus it is that the fiend, Drunkenness, has been fostered, and these are its results. But the evil rests not in the cheapness of the potion: lest the poor or the dissolute might lack sufficient inducements to enter the public-house—the tap-room becomes a saloon, and the meretricious allurements of a dancing harlot, and the foul prurience of the obscene songster, are added, to form fresh ingredients in making more seductive the too seducing beverages of the Gin-Palace. The Garrick's Head has its Judge and Jury Society, where nightly a clever buffoon acts as "Judge," and aids in raking up from the "witnesses" all that is base and impure: the Coal Hole has its orgies,—where indecency is sure to produce rapturous applause, and

* For further proofs, see Rev. Mr. Worsley's "Prize Essay" pp. 126 to 139.

† See Report, p. 125.

blasphemy' forms the most attractive refrain to a popular song.*

These facts are all well known, the character of these houses has been placed, again and again, before the Legislature, but with little apparent effect. The evil of a class of dens, lower than these, is terrible in its open manifestation when considered with relation to our juvenile poor. They become pilferers to obtain money for the price of admission; they become drunkards through the early habits engendered in these schools of vice. Mr. Kay and Mr. Martin furnish indisputable evidences that very many of our juvenile criminals confess that their first offences against honesty arose from the temptation to steal money for the public-house saloon, the "penny gaff," or the "penny hop," and having made the first step in sin by pilfering a penny; vicious propensities or bad company soon confirmed the evil disposed or encouraged the misguided. As Mr. Kingsmill very truly states, after the initiation into vice has been accomplished, "Money becomes indispensable, and it is gotten by some desperate and wicked means, at the possibility of which, a few months before, the mind would have recoiled with indignation, like that of Hazael, when reproved by the prophet: 'Is thy servant a dog, that he should do this great thing?'"†

It has been asserted that many of the London brewers are interested in the success of these public-houses, and that owing to the quantity of beer consumed by the frequenters, so vast an addition is made to the National Revenue that the Government cannot suppress so important a branch of trade. No man, it is urged, need drink against his inclination, and if he will drink, the country has the benefit of his intoxication in the increase of the revenue returns, from a tax to which a man renders himself liable, and which he pays without remonstrance. This is simply absurd. As Mr. Thomson observes, referring

* One of the favorite songs at the Coal Hole is entitled "Sam Hall." The whole "humour" consists in a dirty-faced singer ending each verse with the words, "Blast my eyes," uttered in a tone of stupid drunkenness. See Thackeray's scathing onslaughts upon this tavern in "Pendennis" and in "The Newcomes," where it is called "The Cave of Harmony."

† See, in support of these views, Mr. Martin's most interesting little work—"A Place of Repentance," and Mr. Kay's Pamphlet—"The Condition and Education of Poor Children in English and German Towns." Appendix No. V. See also IRISH QUARTERLY REVIEW, Vol. III. No. X. pp. 327 to 331.

to this very point :—"The willingness to pay a tax is not a sure proof of its being advantageous to the public. Were the Chancellor of the Exchequer to open a new branch of the licensing system, and sell licences to steal, or to receive stolen goods with impunity, there can be no doubt the applicants would be numerous, the produce of the duty considerable, and the payments most prompt and willing. But would the public profit? And yet the proposal is not really much more absurd in itself, nor more injurious to the public, than that of raising a public revenue by fostering, and to a certain extent legalizing, habits of intoxication among the people."

We have referred to those places of amusement in which the more wealthy classes of tradesmen, artizans, and "gentlemen" can pay the price of liquors, and in which theatrical representations, and musical entertainments, form gratuitous seductions to vice. But base and shameful as those places are, they furnish only a faint exemplification of the same class of houses in a humbler walk of life,—those houses where sin is inculcated, and where the minds of our youths are indoctrinated in crime. Mr. Kingsmill,* and Mr. Joseph, the Chaplain of Chester Castle, in his valuable, because practical, work,† have proved the tendency of those places of vicious amusement. Mr. Martin, too, has placed this question of their evil teaching in the fullest and most important light, and if further evidence be necessary, it is offered in Mr. Mayhew's excellent, yet painful, book, *London Labour and the London Poor*. We have already referred to those places of amusement, as connected with public-houses; but we now write of them as cheap theatres, or "penny gaffs," where boys and girls are the chief supporters, and in which the representations are only calculated to prove pleasing to children, depraved and dissolute as adults in mind, but wanting the physical attributes to indulge in the vices of men and women. But when one reads the narratives of the scenes witnessed in the "penny gaff," he feels that there is a degradation of sinfulness in the mind, as terrible in its consequences as the grossest sins of the body. We do not object to theatrical representations; we believe that they are a healthful amusement when properly conducted, and

* See "Prisons and Prisoners." p. 78.

† See "Memoirs of Convicted Prisoners." London: Wertheim and Co. 1853.

this is the only point in which we differ with Mr. Kingsmill. The honest heart that laughs with such comedians as Mrs. Keeley and her husband; the eyes that grow dim with the sorrows of such actresses as Mrs. Kean and Miss Faucit; the breasts that glow in unison with all the poetry of such plays as *Macbeth*, *Hamlet*, *Money*, and a hundred other popular pieces, cannot be injured by the street company whom they may meet on their homeward route, or whom they may encounter in the purlieus of the theatre. The system of decrying theatrical amusements is but that adopted by Hannah More, in her *Celebs in Search of a Wife*, and which Sydney Smith, incited by his strong good sense, described as an attempt to teach young people that they are "not only to stay away from the comedies of Congreve and Farquhar, for which they may easily enough be forgiven; but they are never to see Mrs. Siddons in the *Gamester*, or in *Jane Shore*. The finest exhibitions of talent, and the most beautiful moral lessons, are interdicted at the theatre. There is something in the word *Playhouse* which seems so closely connected, in the minds of these people, with sin and Satan, that it stands in their vocabulary for every species of abomination."*

We defend the Theatre, when properly conducted, and the incentives to sin without its walls are simply those that each man and woman who walks through the streets of a great city, or a large town, must encounter, and, with God's grace, surmount. These legitimate theatrical amusements are not the class of entertainments to which we refer, as forming one of the schools of vice in which our young criminals are perfected in sin. Mr. Mayhew thus describes one of these "Penny Gaffs," in the neighbourhood of Smithfield:—

"Here the stage, instead of being the means for illustrating a moral precept, is turned into a platform to teach the cruellest debauchery. The audience is usually composed of children so young, that these dens become the school-rooms where the guiding morals of a life are picked up; and so precocious are the little things, that the girl of nine will, from constant attendance at such places, have learnt to understand the filthiest sayings, and laugh at them as loudly as

* See Rev. Sydney Smith's Works, p. 144, Ed. 1851. See also "A Defence of The Stage, or an Inquiry Into the Real Qualities of Theatrical Entertainments, Their Scope and Tendency," By John William Calcraft. Dublin: Milliken, 1839: and see Mr. Kingsmill's "Prisons and Prisoners," p. 81.

the grown-up lads around her. What notions can the young female form of marriage and chastity, when the penny theatre rings with applause at the performance of a scene whose sole point turns upon the pantomimic imitation of the unrestrained indulgence of the most corrupt appetites of our nature? How can the lad learn to check his hot passions and think honesty, and virtue admirable, when the shouts around him impart a glory to a descriptive song so painfully corrupt, that it can only have been made tolerable by the most habitual excess? The men who preside over these infamous places know too well the failings of their audiences. They know that these poor children require no nicely-turned joke to make the evening pass merrily, and that the filth they utter needs no double meaning to veil its obscenity. The show that will provide the most unrestrained debauchery will have the most crowded benches; and to gain this point, things are acted and spoken that it is criminal even to allude to. Not wishing to believe in the description which some of the more intelligent of the costermongers had given of these places, it was thought better to visit one of them, so that all exaggeration might be avoided. One of the least offensive of the exhibitions was fixed upon. The visitors, with a few exceptions, were all boys and girls, whose ages seemed to vary from eight to twenty years. Some of the girls—though their figures showed them to be mere children—were dressed in showy cotton-velvet polkas, and wore dowdy feathers in their crushed bonnets. They stood laughing and joking with the lads, in an unconcerned, impudent manner, that was almost appalling. Some of them, when tired of waiting, chose their partners, and commenced dancing grotesquely, to the admiration of the lookers-on, who expressed their approbation in obscene terms, that, far from disgusting the poor little women, were received as compliments, and acknowledged with smiles and coarse repartees. The boys clustered together, smoking their pipes, and laughing at each other's anecdotes, or else jingling halfpence in time with the tune, while they whistled an accompaniment to it. Presently one of the performers, with a gilt crown on his well greased locks, descended from the staircase, his fleshings covered by a dingy dressing-gown, and mixed with the mob, shaking hands with old acquaintances. The 'comic singer,' too, made his appearance among the throng—the huge bow to his cravat, which nearly covered his waistcoat, and the red end to his nose, exciting neither merriment nor surprise. To discover the kind of entertainment, a lad near me and my companion was asked 'if there was any flash dancing?' With a knowing wink the boy answered, 'Lots! show their legs and all, prime!' and immediately the boy followed up his information by a request for a 'yennep' to get a 'tib of occabot.' After waiting in the lobby some considerable time, the performance inside was concluded, and the audience came pouring out through the canvass door. As they had to pass singly, I noticed them particularly. Above three-fourths of them were women and girls, the rest consisting chiefly of mere boys—for out of about two hundred persons I counted only eighteen men. Forward they came, bringing an overpowering stench with them, laughing and yelling as they pushed their way through the waiting-room. One

woman, carrying a sickly child with a bulging forehead, was reeling drunk, the saliva running down her mouth as she stared about her with a heavy fixed eye. Two boys were pushing her from side to side, while the poor infant slept, breathing heavily, as if stupified, through the din. Lads jumping on girls' shoulders, and girls laughing hysterically from being tickled by the youths behind them, every one shouting and jumping, presented a mad scene of frightful enjoyment. Singing and dancing formed the whole of the hour's performance, and, of the two, the singing was preferred. A young girl, of about fourteen years of age, danced with more energy than grace, and seemed to be well known to the spectators, who cheered her on by her Christian name. When the dance was concluded, the proprietor of the establishment threw down a penny from the gallery, in the hopes that others might be moved to similar acts of generosity; but no one followed up the offering, so the young lady hunted after the money and departed. The 'comic singer,' in a battered hat and the huge bow to his cravat, was received with deafening shouts. Several songs were named by the costers, but the 'funny gentleman' merely requested them 'to hold their jaws,' and putting on a 'knowing' look, sang a song, the whole point of which consisted in the mere utterance of some filthy word at the end of each stanza. Nothing, however, could have been more successful. The lads stamped their feet with delight; the girls screamed with enjoyment. Once or twice a young shrill laugh would anticipate the fun—as if the words were well known—or the boys would forestall the point by shouting it out before the proper time. When the song was ended the house was in a delirium of applause. The canvass front to the gallery was beaten with sticks, drum-like, and sent down showers of white powder on the heads in the pit. Another song followed, and the actor knowing on what his success depended, lost no opportunity of increasing his laurels. The most obscene thoughts, the most disgusting scenes were coolly described, making a poor child near me wipe away the tears that rolled down her eyes with the enjoyment of the poison. There were three or four of these songs sung in the course of the evening, each one being encored, and then changed. One written about 'Pine-apple rock,' was the grand treat of the night, and offered greater scope to the rhyming powers of the author than any of the others. In this, not a single chance had been missed; ingenuity had been exerted to its utmost lest an obscene thought should be passed by, and it was absolutely awful to behold the relish with which the young ones jumped to the hideous meaning of the verses. There was one scene yet to come that was perfect in its wickedness. A ballet began between a man dressed up as a woman, and a country clown. The most disgusting attitudes were struck, the most immoral acts represented, without one dissenting voice. If there had been any feat of agility, any grimacing, or, in fact, anything with which the laughter of the uneducated classes is usually associated, the applause might have been accounted for; but here were two ruffians degrading themselves each time they stirred a limb, and forcing into the brains of the childish audience before them thoughts that must embitter a lifetime, and descend from father to child like some bodily

infirmity. When I had left I spoke to a better class costermonger on this saddening subject. 'Well, sir, it is frightful,' he said, 'but the boys will have their amusements. If their amusements is bad they don't care; they only wants to laugh, and this here kind of work does it. Give 'em better singing and better dancing, and they'd go, if the price was as cheap as this is. I've seen when a decent concert was given at a penny, as many as four thousand costers present, behaving themselves as quietly and decently as possible. Their wives and children was with 'em, and no audience was better conducted. It's all stuff talking about them preferring this sort of thing. Give 'em good things at the same price, and I know they will like the good, better than the bad.'"

These are extracts sufficiently appalling to disturb the most self-gratulant optimist in the Kingdoms. The Common Lodging-House, the Beer-Shop, the Public-House, the Singing-Saloon, the "Penny-Hop," and the "Penny Gaff," are the only schools to which our juvenile criminals have access, and the scholars of these places make the Gin-palace more crammed than the Church, the hospital more frequented by those whose disease is the result of dissipation, than by those who suffer through natural decay, and who compel the nation to raise prisons in so great numbers, that the turrets of our gaols nearly equal in number the spires of our Temples.†

That England is the most liberal country in the world in endeavoring to reform her criminals, cannot be denied; that her philanthropists are the most active, and enlightened, and self-sacrificing, is admitted by all; and Howard has found dauntless followers in Mrs. Fry, in Sarah Martin, in Mr. Nash, and in Miss Carpenter. But vast and profound as have been our noble and costly attempts at prison reformation, they have been in most cases directed to promote the conversion of the old offender, whilst the juvenile criminal has been neglected, and, through a false system of discipline, we have generally failed in accomplishing our object,—succeeding only in sending forth to liberty criminals more hardened in depravity, and in restoring to the world clever rogues who to their pristine vices added, as a climax,

* See Henry Mayhew's "London Labour and The London Poor," Vol. I. pp. 40 to 42. It should be recollected that Mr. Mayhew calls this "Penny Gaff," "*one of the least offensive.*" For an account of a provincial "Penny Gaff," see Mr. Kay's pamphlet, "The Condition and Education of Poor Children In English and German Towns," Appendix No. V. and see IRISH QUARTERLY REVIEW, Vol. III. No. X. pp. 329, 331

† See "Memoirs of Convicted Prisoners,"—Preface.

the most patient hypocrisy. But if these plans of reformation had succeeded, yet this truth, stated by Mr. Thomson, would be undeniable—that it is not sufficient for society to reform the criminal who has grown old in sin ; it has another, and a greater, and happily it is also an easier work, to accomplish, and that is “to *prevent* the growth of a population of juvenile offenders—ready and willing—year after year, to fill up the places of those who may have been reformed or removed from the country.”

These statements and proofs are so grave and appalling, so fraught with a looming danger to the future stability and integrity of our great Nation, that one would most willingly doubt the accuracy of the assertions, were it not undeniable that every deduction here adduced is more than corroborated by the authority of Parliamentary returns, or has all the weight and convincing power of facts and figures in its sustainment. Yet in all the evidences before us there is one particular, clear, undoubted, patent, conveying, at once, a painful and yet an encouraging moral, which is, that not one in ten of these juvenile offenders, whose ages on the calendars are a disgrace to our Legislature, and a dishonor to our people, would have appeared there had as great care been devoted to preserve the children from crime, by teaching them virtue, as was, when they had become criminal, squandered upon attempts to reform them through the agency of deterring punishments. We talk of Gospel truth, and of the life of our Great Exemplar—and though He told us, in words that have rung through all creation, finding disciples and apostles in such men as John Howard and Vincent de Paul, such women as Elizabeth of Hungary and Elizabeth Fry—IN AS MUCH AS YE DID IT NOT UNTO ONE OF THE LEAST OF THESE MY BRETHREN, YE DID IT NOT TO ME—yet we who freed the slave; we who periled our Indian Empire to check the Idolatry of the Hindoo, and the self-immolation of the Indian widow ; we who are so careful that the felon shall not be convicted unless, by all human proof, he be proclaimed guilty—we who have accomplished, or who strive to achieve all these great and noble things, act towards our juvenile criminal population with a legalized injustice, national, barbarous and cruel. Well may Mr. Field, Mr. Kingsmill, Mr. Clay, Miss Carpenter, Mr. Thomson, and Mr. Kay, proclaim that we ever punish, but we never teach—too truly may each and every of these admirable wit-

nesses declare, in the words of those who formed the committee to examine into the state of juvenile crime in Newcastle and Gateshead—

“THAT A CHILD, EVEN WHEN CRIMINAL, SHOULD BE TREATED AS A CHILD, AND SENT TO A REFORMATORY SCHOOL, AND NOT TO A GAOL.”

Our child-criminals have never been *educated*, they have, in many instances, been *taught*, but to them school has been a place of hard blows, or unwilling tasks, where their chief acquirements were inferior to those of a carefully trained parrot. Many of our readers will, we presume, consider that there is no paucity of educational institutions in these kingdoms. There are Dame Schools, National Schools, Poor Schools, Sunday Schools, and Evening Schools. Every sect, into which, in religion, society is divided, possesses its own teachers, and affords school accommodation to its youth; but, notwithstanding all these aids to education, juvenile crime continues, and prevails amongst the very class who attend the Sunday and daily schools. Since the year 1781, when Sunday schools were founded by Robert Raikes and the Reverend Mr. Stock, good and pious men have labored to render them useful, and worthy of public confidence,—but they have too often failed. The children are taught the elements of religion; they learn the name of the Redeemer, but the seed falls on a barren soil, and the poor instruction imparted is quickly effaced, because it was the Sunday task, forgotten during the week, and, perhaps, never accurately understood. Mr. Joseph, the Chaplain of Chester Castle, finds that eighteen out of every twenty prisoners, from the age of twelve to twenty-four years, have attended Sunday Schools. Yet when these prisoners were asked by him—“Can you say the Lord’s Prayer?” the answer, in eight cases out of twenty, was, “I cannot.” When asked, “can you read?” the reply, in sixteen cases out of twenty, was, “No.” This is a most important fact, and is further supported by Mr. Martin, who finds that of ninety cases under twenty years of age received into the Ragged Dormitory, in Great Smith-street, seventy-three had attended school in youth, and only *seven* had received no education. Mr. Kingsmill, the excellent Chaplain of Pentonville Prison, states, in his work, *Prisons and Prisoners*, that of one thousand convicts on the registry of that prison, eight hundred and fifty-eight had attended some sort of school, as children, for

periods averaging about four years. Three hundred and forty-seven of these convicts had received education in schools kept by private persons ; two hundred and twenty-one had attended the National Schools ; twenty had attended grammar schools ; ninety-two had frequented Sabbath-Schools ; and one hundred and sixty had been pupils of other institutions. But a strange conclusion may be drawn from this statement, which is, that these schools were schools only in name : of the eight hundred and fifty-eight convicts who had attended schools, more than one-half could not read with understanding, or write their own letters ; whilst seven hundred and fifty-eight had no knowledge of any rule in arithmetic beyond addition. Amongst the one thousand prisoners selected by Mr. Kingsmill, he found the vast majority ignorant of religion ; and he writes—"Children of nine or ten years of age, in a well ordered Christian family, know as much as the very best informed in this respect, with very few exceptions. These exceptions were found when some degree of piety had marked the father or mother." Mr. Field, in his invaluable work, *Prison Discipline*, proves by some most carefully prepared tables, that such teaching as our poor receive is no check to crime, no guide to virtue. He shows that of three hundred and sixty-eight prisoners, between the ages of ten and twenty years, and who were confined in Reading Gaol, in the year 1845, one hundred and thirty-four were ignorant of the Saviour's name, and could not repeat the Lord's prayer ; two hundred and ten could repeat the Lord's Prayer, but, were unacquainted with the simple truths of religion ; twenty-three had learned the Creed, the Commandments, and the Catechism generally, remembering the most important parts ; whilst only one, a female, was familiar with the Holy Scriptures, and had been well instructed in religious truths. In the *Reports of the Directors of Convict Prisons*, for the year 1852, we find that all these facts are rendered, by corroboration, more disheartening, because more certain. From the Report of Mr. Smith, the Chaplain of Parkhurst Prison, it appears that of one hundred and sixty boys received into Parkhurst in the year 1852, seventy-two had both parents alive at the time of their sentence : thirteen had lost both parents : forty-one had lost their father, and thirty-four their mother. Parkhurst, it must be recollected, is a prison to which juvenile criminals, sentenced to *transportation*, are committed, and it is a matter of serious concern to discover that seventy-two of these hundred

and sixty boys had both parents living, and that only eighteen of the entire number of convicts had fallen into thieving through starvation; whilst one hundred and twenty-nine attributed their offences to bad company, and low theatres. The Chaplain adds—"By one or another of those means juvenile criminals are manufactured by hundreds every year, representing a loss to the country of several thousands in money, and a far heavier loss in the good order, the morality, and the stability, of the community at large." One hundred and fifty of these one hundred and sixty boys, came from towns, and one hundred and twenty had attended the National, or other, schools, for periods varying from three months to ten years, and one hundred and ten had attended Sunday Schools—some for years, others for a few months—yet the parents had *paid* for the schooling of one hundred and twenty of the entire one hundred and sixty. We call these places schools; we give the noble titles, School-Master and School-Mistress, to men and women who are unworthy the name, and we perpetuate the blunder by a stolid, stupid, perseverance in our old abuses. We transmit to the gaol a statement that the young culprit has attended school; but what is the result? Of one hundred and six boys at Parkhurst who had attended school, only one could read well, ten could read tolerably, and the rest so imperfectly as to be useless. None could spell well, only two tolerably, thirty-two imperfectly, and the others not at all. None could write well, not even tolerably, forty-seven wrote imperfectly, and the productions of fifty-nine were worse than scrawling, and only two could work the compound rules of arithmetic. But low as this amount of information possessed by the boys may appear, it was in their case, as in all others reported in the books before us, far superior to their scriptural knowledge. Of the one hundred and six, two only had that information on sacred subjects which the returns place under the head of "*some*;" thirty possessed a little knowledge on these points, and seventy-two were entirely ignorant. As we read these statements we may well feel the truth of Mr. Smith's observation;—"These particulars display a lamentable deficiency somewhere;" and when he states that of the hundred and six boys, *who had attended school*, seventy-two gave answers "to questions on scripture history too ignorant and ridiculous to be described; and those given to questions on Christian doctrine were shocking to the feelings

even of those who perpetually have to witness and record many instances of the same kind"—we may truly and sorrowingly acknowledge the terrible moral of his words—"English heathenism exists, and few are aware of the extent of it."

These boys had been all at *school*; yet they knew nothing; that is, they knew nothing calculated to keep them virtuous and industrious, and, as Mr. Smith states, these facts "display a lamentable deficiency *somewhere*." The somewhere can be readily discovered, the Legislature is alone to blame. Mr. Kay, and all men of even lesser ability, who have devoted themselves to the question, agree in attributing the failure of the educational efforts of England to the apathy of the public, the inefficiency of the teachers, the want of accommodation in the Schools, and the apparent carelessness or incompetency of those who should be the guardians of the education of the poorer classes. In the *Reports of the Commissioners of Inquiry into the State of Education in Wales, Appointed by the Committee of Council on Education, in 1847*, it appears, as we learn from the enquiries of Mr. Lingen, that the average age of teachers is upwards of 40 years, and that they generally commence their vocation when upwards of 30; the number trained he found to be 12·5 per cent. of the whole ascertained number; the average period of training he discovered to be 7·30 months; the average income but £22 : 10 : 9 per annum; over this, 16·1 per cent. have a house rent free. These may appear low payments and but meagre training for the important office of schoolmaster; and when we remember that many of these schools were attended by Calvinistic-Methodists, the importance of at least a commonly educated instructor becomes a doubly important object. We have, in a former paper shown* from our own enquiries and researches, and from the most useful and elaborate work of Mr. Kay,† that the Principality is the most vicious, irreligious, and immoral portion of the Kingdoms; and this can scarcely excite surprise when we consider that those who attend the schools are instructed by teachers who have followed every occupation save that of a schoolmaster. Mr. Lingen states, that of the teachers examined by him, before assuming the occupation in which he found them, six had been assistants in schools;

* See IRISH QUARTERLY REVIEW, Vol. III. No. X. p. 323, 326.

† See "The Social Condition and Education of the people in England and Europe," Vol. I.

three had been attorney's clerks; one had been an attorney's clerk and sheriff's officer; one had been apprentice to an iron-monger; one had been assistant to a draper; one had been an agent; one had been an artilleryman; one had been an articulated clerk; two had been accountants; one had been an auctioneer's clerk; one had been an actuary in a savings' bank; three had been book-binders; one had been a butler; one had been a barber; one had been a blacksmith; four had been bonnet-makers; two had been booksellers; one had been a book-keeper; fifteen had been commercial clerks; three had been colliers; one had been a cordwainer; seven had been carpenters; one had been a compositor; one had been a copyist; three had been cabinet-makers; three had been cooks; one had been a corndealer; three had been druggists; forty-two had been milliners; twenty had been domestic servants; ten had been drapers; four had been excisemen; sixty-one had been farmers; twenty-five had been farm servants; one had been a farm bailiff; one had been a fisherman; two had been governesses; one had been a glover; seven had been grocers; one had been a gardener; one hundred and seventy-seven had been at home or at school; one had been a herald-chaser; four had been housekeepers; two had been hatters; one had been a helper in a stable; eight had been huxters or shopkeepers; one had been an iron-roller; six had been joiners; one had been a knitter; thirteen had been laborers; four had been laundresses; one had been a lime burner; one had been a lay vicar; five had been lady's maids; one had been a Lieutenant in the Royal Navy; two had been land surveyors; twenty-two had been mariners; one had been a millwright; one hundred and eight were married women; seven were ministers; one had been a mechanic; one had been a miner; two had been mineral agents; five had been masons; one had been a mate; one had been a mallster; one had been a militia man; one had been a musician; one had been a musical wire drawer; two had been nursery maids; one had been a night schoolmaster; one was a publican's wife (separated from her husband); two were preparing for the church; one had been a policeman; one had been a pedlar; one had been a publican; one had been a potter; one had been a purser's steward; one had been a planter; two had been private tutors; one had been a quarryman; one had been a reed thatcher; twenty-eight had been sempstresses; one had been second master in the Royal Navy; four had been soldiers; fourteen had been shoemakers; two

had been machine weighers; one had been a stone cutter; one had been a serjeant of marines; one had been a sawyer; one had been a surgeon; one had been a ship's cook; seven had been tailors; one had been a tailor and marine; one had been a tiler; seventeen were widows; four had been weavers; and sixty had had no previous calling, or it had not been ascertained. These occupations, assuming that they had been formerly held by persons who were at all calculated to become eligible teachers, should unquestionably have been abandoned when he or she who had previously lived by them assumed the duty of the teacher; but of the 766 teachers above enumerated, only 17 had previously followed occupations in any degree calculated to render them competent to discharge their duties as instructors.

But this was not the end of the evil; Mr. Lingen's report reveals that in connection with the vocation of teacher, two follow that of assistant overseers of roads; six are assistant overseers of the poor; one is an accountant; one an assistant parish clerk; one a bookbinder; one a broom and clog-maker; four are bonnet makers; one sells Berlin wool; two are cow-keepers; three are collectors of taxes; one is a drover in summer; twelve are dressmakers; one is a druggist; one is a farmer; four are grocers; three are huxters; one is an inspector of weights and measures; one is a knitter; two are land surveyors; one of them also a stone-cutter; two are lodging-house keepers; one is librarian to a mechanics' institute; sixteen are ministers; one is master of a work-house; one is matron of a lying-in hospital; three are matmakers; thirteen are preachers; eighteen are parish or vestry clerks, uniting, in some instances the office of sexton; one is a printer and engraver; one is porter, barber, and layer out of the dead in a workhouse; four are publicans; one is register of marriages; eleven are sempstresses; one is a shopman on Saturdays; eight are secretaries to benefit societies; one is a sexton; two are shoemakers; one is a tailor; one is a teacher of modern languages; one is a turnpike man; one is a tobacconist; one is a writing master in a grammar school; and nine are in receipt of parochial relief.

The children who attend the schools taught by such persons as these would, as a matter of course, if convicted of any offence of which the law takes cognizance, be entered upon the prison books as having "attended school." It may be presumed that there is no want of school accommodation of this class in Wales, nor does there appear to be any reluctance

upon the part of rich or poor to subscribe for educational purposes, as it appears by Mr. Johnston's report that £7,000 were subscribed by the latter, and £5,675 by the former towards the funds of 517 daily schools for the poor, giving school accommodation to 32,033 children. There were also 1,161 Sunday schools.

We have already shown, from the prison reports, the amount of knowledge possessed by the juvenile criminals; we now proceed to prove, from the reports of the School Inspectors, the information on literary and scriptural subjects possessed by those who are guiltless in the estimate of the law. Mr. Symons, a man of acknowledged ability and experience, examined the school at Llanfihangel Creiddyn, in Cardiganshire, and found fourteen children attending, with two young men who were there to learn writing. Few of the children remained a year, and only four of the number were able to read the Testament. Their knowledge of spelling was limited, and they mispronounced most of the words when reading. Of Scripture they knew, Mr. Symons states, "next to nothing." Jesus was said to be the son of Joseph. One only knew that He was the Son of God, and one thought He was on earth now. Three out of five could not tell why Christ came to the earth, four could not tell on what day Christ was born, and what it was called. The days of the week were guessed to be five, six, four, and seven: the days in the month, twenty and fifteen; none knew the number of days in the year. Ireland, one thought a town, and another a parish; England was a town, and London a country.

This was what may be considered a country school, but in Holyhead Church School, Mr. Vaughan Johnson found ninety-six boys, and forty-seven girls attending, and ten monitors employed. The subjects taught, were reading, writing, and arithmetic, The Holy Scriptures, and Church Catechism: the fees one penny per week. Of one hundred and seventeen pupils examined by Mr. Johnson, twenty could write well on paper, forty were able to read with ease, and twenty-two could repeat the Church Catechism, fifteen only with accuracy. Three scholars in the first class said there were eighteen Gospels; that Bartholomew wrote one, and Simon another, and that Moses was the Son of David—these answers were not corrected by the others. In a lower class it was said that Jerusalem is in heaven, and that St. Paul wrote the Gospel

according to St. Matthew, and another believed it was written by Jesus Christ. The oldest boy in a large class said that Joseph was the son of Abraham; whilst a child about ten years old thought that Jesus Christ was the Saviour of Men, but upon being asked, "From what did he save mankind?" replied, "from God." The girls in this School, although somewhat better instructed than the boys, were yet very deficient. For example, the second class asserted that St. Matthew was one of the prophets; that Jesus Christ is in the grave to this day, that the Redeemer and the Virgin Mary were the same person. We dwell upon this ignorance of sacred subjects because this was a Church School, in which one might reasonably expect some more accurate information on Scripture questions.

The parrotting system of instruction pursued in most of the Schools is well exemplified by the result of an experiment tried in that of Holyhead by Mr. Johnson. He had heard that the boys were very accurate arithmeticians, and he requested the Master to set them a sum. Thirteen boys were required to multiply a sum of £ s. d. ($25 \times \frac{1}{2}$); they performed the task expertly, and to the complete satisfaction of the Inspector; but to prove their ability still further, Mr. Johnson set them another sum; and instead of ($25 \times \frac{1}{2}$) gave 5 as the number by which the several sums were to be multiplied, allowing each boy a period twice as long as that which they themselves required on the former occasion; but two only of the thirteen worked the sum correctly.

Mr. Lingen examined several children whom he found in some of the cottages in Pembrokeshire; nearly all were equally ignorant as those to whose cases we have already referred, and all proved the lamentable inefficiency of the Sunday and Daily Schools. One intelligent little girl, twelve years of age, stated that she read about Jesus in the Testament, but she could tell *nothing* about him, except that he was called the Son of Man. She said, "they only teach us to read; they don't tell us any of these things at the Sunday School."

Neither the Day School nor the Sunday School is rendered attractive to the pupil. Confusion, crowding, and squalor, are generally the characteristics of the school-houses throughout England and Wales. Mr. Lingen states, and Mr. Kay asserts that the statements may be received as showing "fair specimens" of English and Welch school accommodation, that in one

visited by him, and held in the mistress's house, he found the benches and a couple of tables, hidden under, and overlaid with children: the room was low and dark; in it thirty girls and twenty boys were huddled, and the hot sickening odour "resembled the smell of the engine on board a steamer, such as is felt by a sea-sick voyager when passing near the funnel." Another school was held in a miserable hovel; the floor was bare earth, full of deep holes, and the windows were all broken. One of the desks was formed of an old door, with the hasp still upon it, laid cross-ways upon two benches, the scholars kneeling on the ground whilst they wrote: the Vicar's son informed Mr. Lingen that he had seen eighty children in this hut. Another School-room which, at six square feet per child, was calculated to hold 28 scholars, yet crammed within this space there were 59 children, and upon the books there were 74 names. It is unnecessary to cite further evidence of the condition of these schools. Mr. Kay found them held in cellars, garrets, chapels, and kitchens, badly warmed, wretchedly ventilated, dirty, unfurnished, dark, damp, and unhealthy. "It is," observes Mr. Lingen, "a disgusting fact, that out of 692 schools, I found 364 or 52·6 per cent. utterly unprovided with privies." Too truly may Mr. Kay write of these schools, "are they not likely to make the children hate and shun every thing which would remind them of the school and the miserable school day?"

The accuracy of Mr. Kay's deduction could hardly be disputed; and the evidence before us but too clearly proves the effect of the squalor and neglect. By the census returns of 1851, it appears that the total number of children between the ages of 3 and 15 years, neither at school nor at work, in the Manchester and Salford district, was 39,866, and the total number receiving instruction or at work, was 58,624; but private inquiry raises the former number to 42,942, and reduces the latter to 56,251. From inquiries in families amongst the working classes in Manchester and Salford, made in the months of May and June, 1852, it appeared that of the children between 3 and 15 years of age, in 17,426 families visited 17,177 children were neither at school nor at work. Of these children 236 had never attended school, through sickness; 139 had never attended from domestic and other causes; 398 had never attended through parental indifference; 2,670 were considered too young; 6,268 had never attended through the

inability of parents to pay the school fees—making a total of 9,711, who from these various causes had never been at school: 7,466 of the 17,177 who were neither at work nor at school, in the months to which we have above referred, had attended school at some period; but of 31,374 children between 3 and 15 years of age not at work, 12,067, or nearly 39 per cent., were kept from school on account of the alleged inability of the parents to afford to pay the required fees. It may or it may not be true that the dissoluteness, or the improvidence of the parents had produced this inability, but it is an undoubted fact, that 12,067 children out of 31,374, were found amongst the laboring and poorer classes deprived of education, as the consequence of the poverty or misconduct of their parents. These figures are rendered the more important when considered with relation to the increase or decrease of School attendance compared with the increase of the population. And here it is that the most remarkable feature in the education returns is observable. By the Report of the Manchester Statistical Society, we learn that the total population of Manchester and Salford, in the year 1834—5, was 250,373; and the actual School attendance 24,535; but by the census returns of 1851 we find the total population of Manchester and Salford to be 387,816, and the average school attendance to be 29,145; that is, in 1834—5 the school attendance was in proportion one in 10·20; in 1851 it was one in 13·30, or as Mr. Kay puts it, "It appeared in respect to day school attendance at the present time it was worse than it was 17 years ago, inasmuch as from 1834—5 to 1851, day school attendance, considered in relation to the population, has decreased from 1 in 10 $\frac{2}{10}$ to 1 in 13 $\frac{5}{10}$."*

Thus far we trace the want, the total want of education amongst our poor, and have shown how defective the knowledge is of those who are stated to have attended school. Education in England means, in the case of the poor, really nothing: mere reading and writing, even if acquirements in these points be accurate, and religious training be wanting, are too frequently a curse rather than a blessing. Knowledge

* See further on these subjects Mr. Kay's Pamphlet, "The Condition and Education of Poor Children in English and German Towns;" and his, "The Social Condition and Education of the People in England and Europe."

for the poor, who are uninstructed in religion, opens wider sources of sin and of the temptation to it, than can arise from the grossest ignorance; if there be no Gospel rule to bow down the head of pride, and to check that corruption of human nature to which the onward march of civilization exposes the mere man in its progression, the steam press is not the palladium of freedom, it is simply the most powerful instrument of hell. Walk through our streets where the poor reside, and mark the class of literature exposed in the windows of those shops to which they may be supposed to resort in purchasing cheap publications. There can be seen the lives of highway-men and robbers, to teach the young thief that honesty is a folly, and roguery a virtue. One is called *Jonathan Wild, The Thief Taker*; another is named *The Life of Barrington, the Gentleman Pick-pocket*; another has a seductive alliteration in its title, and is named *Varney, the Vampire, or the Feast of Blood*; another is named *The Murder at The Old Smithy*; then we have *Geraldine, or the Secret Assassins of the Old Stone Cross*, in good company with *Ada, the Betrayed*, and *Ella, the Outcast*. These are merely cheap books of what may be called the penny thrilling, and deeply affecting romantic school; but there is another and a graver class of literature presented by Mr. Holyoake's, *Reasoner*, which teaches infidelity and atheism to the ignorant and the presumptuous. So far we have shown that those of our poor that can read, have, within their reach, the means, at the very lowest charge, of perfecting themselves in all the romance of robbery and murder, and strengthening themselves in the wretched folly of infidelity, being thus enabled readily to qualify themselves for the drop or the convict settlement; but there is yet another class of cheap literature still more destructive, because, although it may be injurious to the juvenile criminal, it extends its baleful influence to a better educated class, surely and insidiously debauching their minds. Many of our readers may have been attracted to the shop windows of dealers in cheap periodicals, by the title of such works as *The Mysteries of the Court of London*, *The Days of Hogarth*, *The Merry Wives of London*, *Nell Gwyn*, and *The Mysteries of London*, and may possibly have been disgusted by the indecency of the illustrations. But had they looked through the pages of these and other shameful productions of the same class, they would have observed with

sorrow, that minds of very considerable ability had been degraded to produce prurient tales, and when imagination failed, those records of trials for seduction, violation, and criminal conversation, which the public journals omit as being "unfit for publication," are placed before the young reader's mind, and scenes of voluptuousness and vice are vividly painted, conducing to no other end but to fill the pocket of the publisher, to make the boy reader enervated in soul and body, to render the girl a strumpet in mind before she is a harlot in deed.

Those who publish these books live in affluence and splendor, and it is well known that the sale of one amounts to over a quarter of a million weekly in penny numbers. In some a department is devoted to love correspondence between the juvenile readers, and in others servants are solicited to state their grievances, and to supply information of the families with whom they live. Every fact and every falsehood, disgraceful to the aristocracy or to royalty, that has been circulated within the last fifty years is revived in some of the most popular, and forms the chief attraction to the great majority of the readers. That the effect of this literature upon our juvenile criminal population is most injurious, is made evident by all the reports of the Prison Chaplains. Mr. Kingsmill indeed, attributes so very great an influence to it, that he considers its suppression one of the first steps to be taken before the reclamation of our criminal juveniles can be satisfactorily commenced, and adds, "greatly increased exertions are required on the part of the community, the government and the legislature, to meet the most pernicious efforts continually being put forth by authors and publishers, who prostitute talent, education, and character to the detestable purpose of mere money gain, neutralising the benefits of education to the lower classes, and poisoning the sources of their temporal no less than their eternal happiness. Such persons, if they cannot be reached by the arm of the law, should be scouted from all society as wholesale traffickers in the production of the crimes which it costs the state so much to punish, and the miseries which follow in the train of crime to so many thousands, which no remedy can ever remove."*

That neither we, nor Mr. Kingsmill, exaggerate the wide-

* See Chaplain Report, p. 24, in the "Reports of the Directors of Convict Prisons," 1853.

spread evil of this class of cheap literature is evidenced by the facts, stated by Mr. Charles Knight, that the sale of four of these publications amounted to three hundred and fifty thousand per week, that their readers extended to about one million per week, and that one of the most prosperous had several gentlemen of ability amongst its contributors. At the beginning of April, 1850, there were issued from the London Press, to be continued in weekly numbers, one hundred separate publications. Of these, sixty were wholly works of fiction and ribaldry. Of the proposed works of fiction a great number were of the *Jack Sheppard* school, such as *The Free Booters*, *Dick Turpin*, *The Bold Smuggler*, *Paul Jones*, *Gentleman Jack*, *The Brigand*; but, as Mr. Knight writes, the trash was varied by every variety of tales of murder.

It is right, however, to state, that, in 1845, it was calculated, that from London alone there was a yearly circulation of stamped and unstamped newspapers and serials, of a decidedly pernicious character, to the extent of twenty-eight millions, eight hundred and sixty-two thousand numbers. During the five years from 1845 to 1850, moral and religious publications increased in sale but slowly, and in the latter year the immoral unstamped publications of London were calculated at more than four hundred thousand weekly, and to these may be added imported French Novels and Prints of the most indecent character, which, although formerly sold carefully or by stealth, are now vended openly in shops entitled "Parisian Depositories for the Sale of French Prints." In addition to this we may state, upon the authority of Mr. Knight, that "at the beginning of 1847, above one hundred new penny periodicals were started, and again, in January, 1852, at least an equal number, the greater part of these being calculated to do harm rather than good."

How can this Press be defeated? By education and by another Press, and by rearing a people who, when told that vicious works by men of prostituted genius are amusing, can feel with the Abbé Mullois:—"C'est très amusant! Malheureuse légèreté"! he rejoins, "sera-t-elle toujours notre fléau? Quand donc comprendons-nous qu'il y a autre chose à faire que de s'amuser? Quand donc aurons-nous le courage de résister à un caprice pour le bien de l'humanité? C'était amusant! . . . Mais cette misère, mais ces haillons qui se promènent dans les rues, est-ce encore amusant? Mais cette démoralisation et ces haines qui rongent les âmes, mais la menace qui pèse sans cesse sur la tête de la

France, est-ce encore amusant? Mais le sang qui a coulé dans nos rues! . . .”*

We have now shown the chief causes which conduce to render our juvenile poor our juvenile criminals, and, though men of learning, experience, and piety have for years devoted time, and thought, and energy, to elucidating the subject, education in England is most disgraceful to a nation like ours, and our poor are very much worse educated than any other European Nation, excepting Russia, Turkey, South Italy, Portugal, and Spain. In France, in 1843, the scholars were one in every 10·5 inhabitants; in Prussia the scholars were, in 1838, one in every six inhabitants; in Austria Proper the scholars were, in 1843, one in every nine inhabitants; in Belgium, in 1836, the scholars were 10·7 of the inhabitants; in England the scholars, in 1850, were one in every fourteen inhabitants; whilst in Switzerland, America, and a great part of Germany, the number of children attending school, in March, 1851, was one in every five inhabitants.†

In writing thus of education let us not be understood as assuming that any, or even the best, system can do all to save the boy from crime or the evils of vicious association. All the bearings of the subject, and all that can be expected from education are thus eloquently expressed by M. Kingsmill:—

“Education, as it is generally communicated, is worth nothing for any purpose, good or evil. The scanty and imperfect knowledge acquired in school is soon lost in the hard daily labour or service to which the poorer classes are so early consigned. Education, intellectually what it ought to be, is, to persons of good natural sense, or who are surrounded by circumstances favourable to virtue, of great value in a temporal point of view; and, if they are really Christian, it increases greatly their usefulness. It advances the possessor in the social scale, and supplies sources of enjoyment superior to the indulgence of the more sordid or sensual appetites. To those who are without good common sense, or real religious principle, it is a dubious benefit. It removes some of the grosser temptations; it suggests others, which often lead to worse results. New desires are

* See also Chaplain's Report of Pentonville Prison, in the “Reports of the Directors of Convict Prisons,” 1853. See also “*Meliora*,” second series, p. 168, 181: see likewise, “*Memoirs of Convicted Prisoners*,” and Mr. Kingsmill's “*Chapters on Prisons, and Prisoners*.”

† See Mr. Kay's Pamphlet “*The Condition and Education of Poor Children in English and in German Towns*,” Appendix No. 3. See also his “*Social Condition and Education of the People*,” Vol. 2, p. 538, 539.

created; wants are multiplied beyond means; steady, plodding labour is despised; the dress is altered, and the outward appearance perhaps improved;—the inner man is unchanged. Education, without motive and sound Christian principles, is as the moving power to machinery which has no regulator, or as wide-spread sails to a ship which has neither chart nor compass to steer by. Mere education changes the character of crime. It gives increased power to the dishonest for planning schemes of robbery, and then of concealment and escape from justice. Education, based on a Divine foundation, and carried out in its fair proportions by Christian instructors, is of inestimable value, in every point of view. If asked to state the comparative value which experience has led me to place upon the different sorts of education, in their bearings upon religious or merely social obligations, I should begin with education which has received its first impulse from a pious mother's lips, and is carried on under the eye of a godly father, who inculcates, by his own example and by cheerful discourse in the family, lessons of wisdom and truth, until the impression is made upon the mind of his children, that independent, hard-working honesty, is infinitely better than riches without right, or advancement in life without fitness, and who honours God by a stated religious service in his family daily, and by the solemn, but *happy*, observance of the Sabbath. Next would be the instruction given in the really Christian Sunday-school; and so on, downwards, from that which is religious in the highest sense, and only secondarily educational, to that which is highly intellectual, but without religion."

These are the sentiments which seem ever to have actuated foreign governments in legislating upon educational questions, but which, one might assume, had never been contemplated by our own Legislature. In Mr. Kay's elaborate work, *The Social Condition and Education of the People in England and Europe*, we learn that there is in Prussia, one Primary School for every 653 inhabitants, one Teacher for every 515 inhabitants, and one Normal College for every 377,300 inhabitants. France, amidst all her fopperies of fraternity in government, has never forgotten the real paternity of a State over its People, and she has one Primary School for every 558 inhabitants, one Teacher for every 446, and one Normal College for every 356,564 inhabitants. So it is with Germany, with Holland, with Denmark, with Switzerland; and assuming that we need fewer Colleges, fewer Teachers, and fewer Schools than any of the countries mentioned, Mr. Kay supposes that England requires—

One Primary School for every	700 inhabitants,
One Teacher for every	600 "
One Normal College for every	400,000 "

The result would be, that for England and Wales we should have at least—

24,285 Schools,
28,333 Teachers, and
42 Normal Colleges.

The chief and most imperative demand at present in England and Wales is for efficient teachers. We have in Ireland an excellent Training School, but we want for both countries the comprehensive system of Germany and Switzerland. There the Teachers are men, who from their fifteenth to their twenty-first year have been educated in preparatory Schools and Colleges, expressly for the Teachers. Their education would do credit to higher walks of life, but the discipline of their early preparation renders them happy and content in the discharge of their duty. Mr. Kay writes:—

“Those children, whose parents wish them to be trained for Teachers, do not leave the Primary Schools, before the completion of their fifteenth year. They then generally continue to attend the Head Masters to receive instruction in the evenings for one or two years. At the end of this period they enter, either one of the superior Schools, where the children of the middle classes continue their education, and where the weekly fees are so small, that children of poor parents often attend them; or they enter, what is called a Preparatory School, that is, one which is expressly designed to prepare Candidates for the Normal or Teachers' Colleges. They remain in these Preparatory Schools until the completion of their eighteenth year, and are educated there in the Scripture history, and the history of their own country, in the elements of mathematics, in several sciences, in music, singing, and in geography. When they leave these Schools, they have already received a very good education. Up to this time, their parents have paid the small weekly fees for them, stimulated by the hope of their sons gaining admission into some of the Teachers' Training Colleges. In each of the divisions of Germany and Switzerland corresponding to our counties, there are two or three of these Colleges, one or more for Roman Catholic students and the other for Protestants. The Directors of all these Great Training Schools are religious ministers, and the education given in them is of a strictly religious character. They are supported in Switzerland by the Cantonal Governments, and in Germany by the several States, and are liberally supplied with large staffs of from eight to fifteen Professors and Teachers, with good libraries, numerous class rooms, organs, piano-fortes, all necessary school apparatus, model practising schools, and farms or gardens attached to them. At certain periods of the year, public examinations are held in each of them, at which all young men who desire to be Teachers and who seek admission, may present themselves as Candidates. No Candidate however can be received, even for examina-

tion, unless he can present a certificate from a physician of good health, and certificates from his religious minister and his former teacher of good character; nor can any one be admitted or ever officiate as a Teacher, who is a cripple, or deaf or deformed, nor any one who has weak lungs, so important is it thought that the Schoolmasters should be in every way fitted for their duties. The Candidates who satisfy all the conditions I have mentioned are carefully and rigorously examined by a Committee of Examiners composed of the Directors and one or more Professors of the College, one of the local Educational Magistrates, and an Inspector. The subjects of this examination comprise all the subjects of instruction in the primary schools. Those, who prove themselves the most efficient, are selected for admission, and once admitted their course in life is secured, because they pay nothing for their education, little and in many cases nothing for their board; and when they leave the College, if they pass their final examination satisfactorily, they receive an appointment immediately. Even if their first place is an inferior one, they are sure to obtain the more valuable situations as vacancies occur, if their conduct, progress, and abilities prove satisfactory. The period of residence in these Colleges is three years, and the students during that time are educated most carefully in—I. Religious instruction, including the Holy Scriptures, and the History of Christianity. II. The German language, including exercises in composition, writing, grammar, and reading. III. Mathematics. IV. History. V. Physical Geography. VI. Botany and Gardening. VII. Natural History. VIII. Drawing. IX. Music, including lectures on the theory and practice of music, constant practice in singing, chanting, and playing the organ, piano-forte, and violin. X. Pedagogy, or the art of teaching children. This is taught in village schools attached to the Colleges, in which the young men practise teaching under the personal direction of the Professors. XI. Mental Arithmetic and Mensuration. XII. Medicine. This may seem a strange part of their education, but every student in a Prussian Teachers' College is taught how to treat cases of suspended animation, wounds occasioned by the bites of dogs, injuries by fire, &c. Also how to distinguish poisonous plants, and how to employ some of the more ordinary antidotes. Public examinations are held, every year, in each of these great Institutions, and at these times all the students, who have completed their three years' course of education and practice, and all other candidates who choose to present themselves, are examined by the Director and Professors. Every one who passes this examination, receives a diploma, stating his fitness to be a Teacher. Those who do not, are obliged to continue their education at their own expense, until they are able to prove, that they have attained adequate knowledge and sufficient expertness in the Art of Teaching to deserve one. Without such a certificate of merit no one in either Germany or Switzerland is ever allowed to practise as a Teacher."

Compare these men with the quarry-men, tailors, and recipients of public charity who teach our poor children, and

who can feel surprise that schools and schoolmasters are in disrepute in England? In Germany and in Switzerland the school-houses are well built, clean and airy, containing from four to twelve class rooms, and to each school there is attached a large dry play ground. A Government which thus supplies its people with Educational appliances, is entitled to command the attendance of its young subjects. Thus, in Germany and in Switzerland, every child is *compelled* to attend some school, from the age of five to fourteen years; and although in the manufacturing towns children may, at the desire of parents, discontinue attendance at the morning and afternoon classes, after the completion of their *ninth* year, yet this is only upon condition that they attend the evening classes four days in every week, and the Sunday classes, until they shall have completed their fifteenth year; whilst in Prussia they cannot, even then, discontinue attendance, unless they pass satisfactorily an examination in the subjects of instruction in the Primary Schools; and this wise system of education is happy in its effects. The teachers are respected by the parents, and loved by the pupils. Let us observe the result, and, with Mr. Kay—

“Take the history of one boy’s life in any town in Switzerland, Germany, Denmark, or Holland, and this will be more comprehensible. He begins life in a home, where the parents have been themselves educated; he remains there, until the completion of his *fifth* year; he then enters one of the primary schools; there he is obliged, every morning and afternoon, to keep himself perfectly clean and neat, until the hours of study are over; he is in daily and hourly communication for nine years with a well instructed man; he is examined from time to time by his religious minister and by the inspectors of the state; he is obliged to take regular daily exercise in the open air. When in school, he lives during all those years, in a well ventilated room. He is daily taught the truths of religion and the elements of several sciences; he is accustomed to habits of work, perseverance, regular hours, cleanliness, politeness, and order, till they become natural. He has before him, for all these years, the example of an educated man in his teacher, and he acquires, insensibly, a respect for knowledge, which he never shakes off in after life. He finds out too, how much there is to learn, and this induces in his mind a sense of humility. Such a boy surely goes out into the world a more moral, useful and conservative member of society, than the neglected creatures, so many of whom are in our streets trained as criminals.

The municipal systems of both the German and the Swiss towns are very liberal in character. The Town Councils are elected by the citizens. These magistrates select six persons from among themselves, three citizens having the reputation of being conversant in

matters connected with the schools, a certain number of representatives of the private schools existing in the town, and a member of each of the committees of the Town Council not otherwise represented, to form a *School Committee* for the town. The first ecclesiastical authority of the town is also ex-officio a member of this committee, and if the town contains both Romanists and Protestants, each of the different parties must be respectively represented in the committee by a proportionate number of members of its religious persuasion. This committee, when thus constituted, is empowered and obliged by law :—To provide School room, where there is not sufficient for the children; To elect a sufficient number of Teachers for all the Municipal Schools :—To provide for the regular and sufficient payment of all the Teachers of the Municipal Schools :—To supply all necessary School apparatus, such as maps, slates, black boards, desks, forms, &c., for all the Schools in the town :—To keep all the Class Rooms and Teachers' houses in good repair, well whitewashed and painted, and well warmed :—To provide each School-house with a roomy and dry play ground :—To take care, that all the Teachers both in the Municipal and Private Schools, exercise the children every morning and afternoon :—To personally inspect each School a certain number of times every year :—To see that every parent in the town provides for the daily education of his children, either at home, or in some one of the Private or Public Schools, from the age of five to the completion of the fourteenth year :—And to pay the weekly School fees and provide decent and comfortable clothing for the children of all parents too poor to do this themselves.

"The Teachers of all the Schools, founded by the municipalities, are elected by these School Committees, and are therefore generally of the same religious persuasion as the majority of the committee. Where several Schools have to be founded by the same Committee, one is set apart for each religious party, and its Teachers belong to the same persuasion. There is generally in each town at least one Public School belonging to each of the Romanist and Protestant parties. Where only one School is founded, the Head Master is generally of the same religious persuasion as the majority of the Committee, but one or more of the Assistant Teachers are sometimes appointed from the other religious denomination. But neither in Protestant Saxony, nor in Romanist Bavaria, does this occasion any real practical difficulty; partly, because the religious lessons are given immediately after opening the Schools in the mornings, and immediately before closing them in the afternoons; and any parent is at liberty to remove his children during these lessons, if he provides for their religious education elsewhere; and partly, because the parents, who differ from the majority of the committee in religion, may if they please send their children to any private School of their own persuasion, or to the public School belonging to their own party, and can obtain all the same assistance from the School Committee by doing so. The Protestant clergy of Saxony, Prussia, and Switzerland; the monks of the cantons of Friburg, Lucerne, Soleure, St. Gall, Uri, and Zug; and the priests of Bavaria and Switzerland assured me repeatedly, that in actual practice, all the difficulties

which, in theory, would seem to make it impossible for the religious parties to unite for the education of the poor, really vanish, when brought to the test of experience. The proof of this is, that throughout Germany, Switzerland, and Holland, *all* the children are saved from street life, and are at this present time receiving a careful, religious, moral and intellectual training from highly-educated and efficient Teachers. And let it be remembered, that this great result has been obtained spite of obstacles, at least as great as those which have seemed to make it so difficult for us to act. Are they religious differences which hinder us? Look at Bavaria, the Prussian Rhine provinces, and the Swiss cantons of Friburg, Zug, Lucerne, and Soleure. Will any one say, that the religious difficulties existing in those countries are less than those which exist in our own? Is Romanism there free from those pretensions, which are the results of a belief in the Church's infallibility, and which stimulate opposition instead of conciliating opinion? Is the sectarianism of the Jesuits of Lucerne, Friburg, or Bavaria, of a more yielding character towards the Protestant 'heretics' than that of one Protestant party in England to another? Have not the quarrels of the Protestant sects in the canton of Vaud and in the south of Switzerland, within the last five years, been even less charitable and Christian, than any thing we have had to lament among ourselves? Have not the disputes between the Lutherans and the followers of Ronge in the north of Germany been accompanied with the bitterest feelings and the earnest fears of all attached to the faith, which Luther dared to preach? And yet, spite of all this, in each of these countries, so far as the education of the poor is concerned, all the difficulties arising from religious differences have been overcome, and *all* the poor children have been saved from the streets and brought under the influence of a religious education without any religious party having been offended.*

But it may be objected that we have, in our free country, no right to compel the attendance of children. We contend that every state has a full and perfect right to save its future citizens from degradation, and by early training to make the youth virtuous in a school, rather than to rear him up a criminal in the streets, and a convict in the prison—ignorant of all truth divine or human.—In the Canton of Vaud, where all are educated, of 30,525 children between the ages of

* See Mr. Kay's Pamphlet, "The Condition and Education of Poor Children in English and German Towns," and his "The Social Condition and Education of the People in England and Europe." We cannot sufficiently express our estimate of these valuable works.—The former published by Messrs. Longman, and sold by Messrs. Galt, Manchester, should be in the hands of all who feel the slightest interest in the improvement of our town poor. See also a very excellent Paper, by the Rev. Mr. Beames, entitled "Education as it is, and as It Ought to Be," in "Meliora," second series, p. 70.

six and sixteen attending school, Mr. Kay found that 7,370 understood what was read to them from the Bible, and 9,234 knew the Catechism well—in *free* England of 463 prisoners examined by the Reverend Mr. Durham, the Chaplain of Hertford gaol, in the year 1847, 22½ per cent. were ignorant of the name of Christ; and of 127, examined by him in 1848, one fourth were equally ignorant—and this within twenty miles of London.*

To permit the continuance of these frightful abuses is not to respect Liberty but to destroy her. When our gaols and convict prisoners are the only schools of our neglected juvenile poor, it is time to learn the truth of an observation recorded by John Foster in his essay, *On Popular Ignorance*:—"It is here confidently presumed, that any man who looks, in the right state of his senses, at the manner in which the children are still brought up in many parts of the land, will hear with contempt any hypocritical protest against so much interference with the discretion, the liberty, of parents; the discretion, the liberty, forsooth, of bringing up these children a nuisance on the face of the earth."

Parents do bring up their children "a nuisance on the face of the earth," and the Legislature, by its neglect, is a party, too frequently, in the offence against society. It sends children to gaol who should have been sent to a Reformatory School; it commits and recommit, and loads the country with expense, exposing the child to a damning prison contamination, so terrible that Mr. Field, and Mr. Hill the Recorder of Birmingham, consider it better to send a juvenile criminal guilty of a first offence, back to the place where the offence was committed, and where he may be surrounded by all the temptations which lead to his offence, than transmit him to the ordinary class of gaols; because in these he must be, as Mr. Rotch, a Justice of Middlesex, in a very able pamphlet stated, subjected to the almost "electrical contamination of gaol association. There the foul impress of felony or misdemeanour is stamped upon them all before they are offered to the public as useful members of society;" our young criminals are, Mr. Rotch adds, "allowed to become well hardened in villainy before they are transported." This is a grave charge, but, of many, we here insert two

* See Rev. Mr. Durham's Sermon, "The Expostulation of the Neglected," preached for the Ragged Schools.

proofs from the evidence of Mr. Sergeant Adams, given before the Committee on Criminal and Destitute Juveniles :—

“ Thomas Miller, aged 8 years, was tried at Clerkenwell, at the August Sessions, 1845, for stealing boxes, and sentenced to be imprisoned for one calendar month, and once whipped. At the January Sessions, 1846, he was again tried at the Clerkenwell Sessions, for robbing a till, and enquiries being then made, it appeared that, in addition to the above-mentioned trial, he had also been twice summarily convicted, and once tried at the Central Criminal Court, during the year 1846. He was in consequence sentenced to 7 years’ transportation, but his sentence was commuted to 3 months’ imprisonment. On March 14, 1846, he was again convicted of larceny, before the Common Sergeant; and in the printed sessions cases it is stated that the prisoner had been in custody 8 or 10 times. He was again sentenced to transportation, but his sentence was on this occasion commuted to imprisonment for 2 years. He was discharged on May 13, 1848. In July, 1848, he was summarily convicted, and sentenced to 14 days’ imprisonment. From that period he has been lost sight of in the Middlesex prisons, until the 4th day of this month (June, 1852), when he was sentenced, under the Larceny Act, to be whipped and imprisoned 2 days. *He is now only 12 years of age, and not more than 4 feet 2 inches in height.*”

“ Edward Joghill, aged 10 years, has not yet been tried by a jury, but he has, *within the last 2 years, been 8 times summarily convicted, viz. :—*

1847.

Feb. 13. For possession of 7 scarfs, &c. 2 months’ impris.

May 10. Rogue and vagabond 1 “

July 10. Possession of a half-sovereign 1 “

Sept. 13. Simple larceny 1 days’ impris.,
and whipped.

Sept. 27. Rogue and vagabond 2 months’ impris.

Dec. 31. Simple larceny 1 month’s impris.,
and whipped.

1848.

May. 23. Ditto 1 “

1849.

April 15. Ditto 3 “

This return relates to the committals of this boy to *one prison only.*”

If, in Mr. Sergeant Adams’ Court, the grave thought of Channing, that each community “should supply moral wants, snatch every child from perdition, and waken in him the spirit and power of a man,” had been set up as a guiding rule, if before him had been placed that noble sentence of the Newcastle and Gateshead Committee,—“A Child, even when a Criminal, should be treated as a Child, and sent to a Reformatory School and Not to a Prison,” the Court would have been

a Court of Justice,—but the law made the Judge a tyrant, and the child-prisoner, “a City Arab,” “a Home Heathen.”

Let us now learn from that most excellent of books on Prison Discipline, the Reverend Mr. Field's work, the evils of gaol association. Five and thirty years ago Buxton published his most remarkable volume upon the then little understood question of Prison Discipline, and in commenting upon the noble efforts of Mrs. Fry, and the Ladies' Committee, described the effect of prison association, conducted upon the old system, as one calculated only to ruin the soul and body of the young offender. He wrote, “Let us imagine him spending his days with the vicious, and his nights with the diseased; receiving from the first that instruction which may fit him for the perpetration of crime, and imbibing from the second the seeds of that debility which will unfit him for every thing else. He came to your prison a misdemeanant; you send him from its walls a criminal—wasted in strength, polluted in principles, and ruined in character. All respectable men reject him, because they know that to have been in your prison is to be corrupted.” Although, during the thirty-five years which have elapsed since these words were written, the great English Nation has advanced in wealth, in power, and in intelligence; although the Press and the Thinker have frequently exposed the errors of our Prison Discipline, and thus endeavored to render our Prisons worthy of our intelligence and of our civilization, yet all the evils to which the young criminal was exposed at the period in which Buxton wrote, are still glaring and destructive as ever. Mr. Field, writing in 1848, finds, from his own experience, and that of other Gaol Chaplains, every source of crime indicated by Buxton to be still amongst “the prevailing motives which contribute to make a thief, and then to make him incorrigible.” Mr. Kingsmill, writing in 1852, is of opinion, forming his estimate from his own, and the experience of his brother Chaplains, that the root of all the failure of Prison Discipline lies in prison association. Six or eight men or boys sleep in the same room, and here “it is that burglaries and robberies are planned, and systems of begging and fraud are discussed. There they learn each other's vices, and plot outrages during their nocturnal association.” Mr. Kingsmill, in support of his views, and to show the effect of vicious association upon the prisoners, quotes the following passage from the Report of the Chaplain of Durham Gaol:—

"An instance of the corruption of morals which takes place among these prisoners, may be mentioned:—Three men, one old and two young, were committed for trial for a highway robbery of a few pence. The old man made no secret of his guilt; and stated, that he had never seen the two younger prisoners before he met them on the road, on the night of the robbery, and that they had nothing to do with it. The young men further protested their innocence; and after waiting several months in the trial-room for the assizes, no evidence was offered against the younger prisoners, and the old man pleaded guilty. *These men who, up to this time, had borne a good character, had so well learnt their lessons from their companions in the trial-ward and sleeping rooms, that both have since, at different times, been convicted of felony, and each confessed, that he had not worked from the time of his discharge until he returned to gaol; and that the bad example and advice of his fellow-prisoners had led him to adopt a course of crime for his support.* From the age of twelve to twenty, young persons easily receive impressions for good or evil; and in this prison, I observe a *curiosity* in the boys to know all about the crimes of their fellow-prisoners; and soon they learn to look upon the man who has been oftenest in gaol as the greatest hero. *Thus the young are taught the vices of their elders, and many who enter the prison naughty boys, it is to be feared, leave it accomplished thieves.* In the female part of the prison, all that can be done is now done, to prevent contamination and to maintain order; yet it is to be lamented that, from the form of the building, ten women at one time, during this year, were all day without control in the trial-room for many weeks. Among these, were two of the worst women of Sunderland, and two servants for stealing from their mistresses in respectable places. It may here be added, as a note, that, since the above sentence was written, one of these servants has returned to prison. When discharged, she was met by her parents at the gaol gates, and taken home, where she remained only one week, and then ran away to Sunderland, to the infamous lodging-house of a *prison companion*, from whence she returned to gaol. *For one example of the utter ruin of morals, thus directly traced to the prison contamination, hundreds take place unknown.*"

All will admit that these are appalling evils. No improvement can be expected, in disposition or conduct, until the system from which such woful effects spring shall be abandoned for one more perfect,—none more injurious can possibly be adopted. What plan, it may be asked, can with the best hopes of success be substituted—our unhesitating but well considered reply is, the Separate System, as it is conducted in Reading Prison. The motives that have induced Mr. Field to become the able, indefatigable apostle of this system are contained in the following passage from a Sermon preached by him in the Church of St. Mary the Virgin, Oxford, at the Lent assizes, 1853; and after describing the failure of the

various modes of prison punishments, and the errors of their originators, he thus eloquently continues :—

“ But a mistake still more fatal to the offender and more mischievous to the community has been that of permitting intercourse amongst criminals, and sanctioning an imaginary classification of the guilty. Hence our gaols have proved to be, and have become proverbial as very nurseries of crime. In them the innocent have been contaminated; the germ of original guilt has been there quickened, and the latent tendency to evil fully developed; there those before vicious grow in wickedness, the dense atmosphere of impurity serves to invigorate their evil desires, and in these dark, loathsome and cruel habitations, the villany of the very worst becomes more wanton, deep-rooted, and ineradicable, whilst nurtured by the foul and fermenting aggregate of varied crime. And when the term of retribution has expired, the wretched victim, two-fold more the child of hell than before, goes forth ripe for the perpetration of more atrocious acts, and replenished with the seeds of every species of crime, which he has now acquired the disposition, the needful daring, and the power to disseminate. Soon does one so depraved, so prepared to glory in his shame, and so overcharged with vice, repeople the prison he has left, sending thither, it may be, *many* whom he has enticed, there to anticipate his own return! The picture I have drawn is neither imaginary nor exaggerated. The darkest colours fail to exhibit the dismal reality. Often, indeed, has it been my painful duty to hear some victim of many temptations, some wretched one burthened with sins and bowed down by sorrows, trace his misery and his aggravated guilt to a *forced* companionship with thieves and others alike depraved, when he was first charged with a foolish misdemeanour or convicted of some slight offence. And as often have I felt that, although that culprit must answer for his crimes, yet a responsibility, far more awful, rests upon those who might have prevented his degradation and consequent wretchedness !”

Thus we have shown the causes of the failure of the old systems of prison discipline; we shall now describe the separate and silent systems, as these prove the only plans that can really save.

We do not think it necessary to refer to the solitary system, as it is one contrary to humanity, and tending to render the prisoner insane. The chief evidence of this statement, and of the total failure of the system, is found in the fact, that when eighty convicts were placed in solitary cells, that is, cells into which no human being entered save in case of the sickness of the prisoner, in the year 1821, eighteen months afterwards, in the year 1823, the most disastrous results followed, especially as regarded insanity; and with the exception of a few,

whose sentences were about to expire, and others who were sent to labor, *all* the remainder were pardoned.*

The silent system is that which *assumes* that convicts can be compelled to work in community, without addressing each other by words or signs; but experience has most clearly proved that the system is exposed to many of the evils of the old plan of aggregation, and has the additional disadvantage of creating new prison offences by the breaches of the rule against communication. What the separate system is, Mr. Field thus describes:—

“On entering a cell it will be found light, sufficiently large—being 13 feet in length, 7 in breadth, and 10 in height, thoroughly ventilated, and of healthful temperature (54 deg., Fahrenheit.). Each is furnished with a small table and stool; shelves, on which are seen a pewter plate, a cup, and other requisites; a drawer, containing various articles necessary for cleanliness; and under this hang the prisoner’s brushes, coverings for his knees when cleaning, &c. On the top of these shelves is a roll fastened by a strap. This is the hammock, composed of cocoa-nut fibre, and enclosing a small mattress with other bedding, enough for the comfort of the prisoner. When prepared for use, this is swung across and secured by iron fastenings in the side walls of the cell. Projecting from one corner is a small cistern, from which pipes are laid on to a copper bason, and a sufficient supply of water is afforded for washing and other purposes, so that any necessity for leaving the cell is prevented. A gas burner is also seen over the table, and four cards are suspended along the walls, one containing extracts from the prison rules, another some particulars of the prisoner, the nature of his offence, the term of his imprisonment, &c.; the third is an appropriate form of morning and evening prayer; and the fourth, a short exhortation to say grace before and after meat, with a suitable form. Every apartment is also furnished with a Bible and Prayer Book, besides such other books and tracts as the Chaplain may consider adapted to the prisoner’s state of mind, or likely to prove of advantage to him in the future circumstances of his life. Under a system of separate confinement it is most important that every culprit should have the power of calling for immediate assistance if required. A handle, by means of which a large bell is struck, is accordingly provided in each apartment, and by an ingenious contrivance the same turn of the handle causes a small bracket, on which the number of the cell is inscribed, to fly out from the wall, so that the warder on duty sees at once where his attention is desired. In the door will also be observed a locked panel, which is opened to supply the inmate with his food, &c., and above this is a small glazed aperture, through which the prisoner may be watched at any time, whilst a covering of dark

* See “Report on the Discipline and Management of Convict Prisons for 1852.” By Lieut.-Colonel Jebb, p. 5.

wire gauze within prevents his knowing when he is the object of inspection. The locks, too, are so constructed as either to project a bolt which must prevent the door being closed, or when it is intended to fasten them from without, by touching a spring, this is effected in a moment. From the uppermost corridor there are two entrances to the chapel, which next claims our attention. This edifice is so arranged, that whilst all can unite in divine worship, the plan of separation is carefully preserved. To this end rows of pews or stalls are constructed one above another. These rows are filled successively, but each prisoner as he enters closes the door of his pew before the next is admitted, and a common bolt secures the whole row when filled. It is also contrived that the shelves of the higher tier should conceal the heads of the persons occupying those below. Thus prisoners are prevented seeing each other, and in order to check any attempt to converse, seats above these pews are filled by six of the officers during all the more public services. Below these secluded rows are open seats provided for debtors. It will be observed that all the pews radiate in such a manner that the pulpit is visible from every one, and of course all the occupants may be seen by the Chaplain when officiating. Near the desk a gallery is erected, containing pews for the Governor's and Chaplain's families, and additional seats for other officers of the establishment. The communion table, with its appropriate furniture, is opposite to the prisoners' seats; and at the back of them an arch is left open, in which an organ has lately been erected. Some account may here be given of the manner in which the prisoners are dismissed from the chapel. By entering one of the pews a letter and number will be seen on the shelf in front, and in a kind of telegraph, placed near the pulpit, corresponding letters and figures are provided. The prisoner seeing such, by this means, presented to his view as are similar to those before him, knows that he is then to leave his place. Thus all noise and confusion are prevented, and prisoners are kept at any distance from each other that may be desired."

Here the prisoner is removed from vicious contamination. Here he can be visited by the chaplain, and every long-dried spring of virtue can be revived as the spirit softens,—or the young heart that never knew a God, Almighty, save to blaspheme his august majesty, can be guided into penitence and righteousness when the first glimpse of heaven's love and beneficence dawns upon the blank tablet of his mind.

We have shown the amount of knowledge generally possessed by the juvenile prisoner, and in these separate cells where no older, or more wicked companion comes to harden his soul in sin, or to teach him unknown and graver depravities, he has time to repent, he is taught the real advantage of industry, religion is added to labor, and thus the great truth is inculcated and made active, that God is good, that work is the lot of man—*Laborare*

eat Orare. The separate system has other advantages. It is deterring in its effect, even when the criminal is not reformed in heart, and, when the time of punishment is sufficiently long, the discipline of the prison seldom fails in securing amendment. In favor of this species of punishment the very highest names in the records of philosophy and philanthropy can be adduced, and all the English, Irish, and Scotch Judges of our time are its avowed advocates. The Reverend Mr. Clay, the chaplain of Preston gaol, stated to a Committee of the House of Commons, that he thought there should be no place of confinement in which the separate system did not exist; and he further declared that, in his opinion, recommitments, the great test of the value of prison discipline, were scarcely tangible under such a system. With this evidence, all who read Mr. Field's work must agree; after eighteen months' discipline of the system which he advocates few can leave the prison criminals in heart, whilst hundreds must quit its gates, blessing the day on which they entered.

Two objections have been made to the separate system. The first is, that it tends to render the prisoner a hypocrite, one such as Dickens has represented in *Uriah Heep*, who tries to deceive the chaplain and the visiting justices by a pretended sanctity and repentance. Mr. Field would prevent the success of this scheme by never shortening the time of punishment, and by avoiding all relaxation of the rules; and Mr. Smith, the chaplain of Parkhurst Prison, in his report for 1852, states; "I never distinguish with any special favor those who make a profession of religion, except that of admitting them to the table of the Lord. In all other respects they are treated exactly the same as other boys; and as this is well known among them they have no inducement to try to deceive by a specious pretence to piety, and it is very seldom attempted, except by some of the newly arrived ones; and as in their anxiety they generally overdraw the picture, and are never consistent with themselves, they are soon exposed, and are taught a lesson which they never forget. While I take every pains to beget and cultivate personal piety among my youthful but fallen flock, I am most careful not to give any encouragement to that religious trickery which shows itself chiefly in pious phrases, a whining voice, and a demure countenance."

The second objection made to the separate system is, that it weakens the mind. Mr. Field, Mr. Kingsmill, and all who

have carefully watched the results for years, are of opinion that when the attention commanded by the Legislature is bestowed upon the criminal, it is quite impossible that he can in any respect suffer in mind. Rules are made and carefully carried out, by which all the benefits of separation are guaranteed, and when necessary, relaxation is permitted. It has been clearly proved that the convict in the separate cell is not more liable to insanity than the soldier in Canada or the Mediterranean ; and we have the very best reason for asserting, on the authority of one of the ablest prison chaplains of England, that the separate system is, when properly conducted, as safe and as healthful as any plan of imprisonment can be possibly considered.

With the separate system the young culprit is taught the truths of religion and all the necessary branches of common education. He can be instructed in a useful trade; the profit of his work can be allocated for his support ; a portion of his earnings can be set aside to help him into honest courses as he quits the gaol; and if his offence be robbery, he can be forced to work until, as the late Lord Denman recommended, the value of the thing stolen should be restored from the profit of his labor. Thus the separate system gives all the opportunities of reformation that can be expected to spring from any plan of imprisonment. These advantages are well explained by the chaplain of Parkhurst, who writes :—

“My personal and in some sense familiar intercourse, with my flock, continues to be to me the most gratifying part of my duties. It is then that I get into their spirit, and worm out their individual trials and temptations—then that I can apply the Gospel remedy to the case of each lad—that I can listen to their regrets on account of past conduct, and to their little tales of home scenes and recollections. It is there that I can calm the troubled mind, and cool the fiery temper, roused by an imagined injustice—and then that I sometimes see the hardened quail under those revealed reproofs from which they would escape if they were administered to them only in the mass. But for this kind of intercourse I should feel that my office was comparatively useless, just as labour in a young plantation would be all but useless if each plant were not properly attended to.”

But, it will be objected—consider the cost of all these chaplains and officers. We have considered the objection. We know that the full cost of the convicts in Pentonville Prison amounted, last year, to £17, 16s. 7d. per head, and that the daily average number of persons employed, for six and a-half hours,

was 550, whose average earnings amounted to £4 7s. 11d. per man for the year. But the cost of reformatory prisons is nothing compared to the cost of re-committals, of prosecutions, and of transportation under our present system. Mr. Clay has stated:—

“ Looking to the criminal statistics published by Captain Willis, the Chief Constable of Manchester, and to the details which are given in the Liverpool calendars, and assuming that the ages of transports, generally, are represented in those returns, it would appear that of the 3,100 I have mentioned, 43 per cent. are under 21 years old—1,333 ; 45 per cent. are between twenty-one and thirty years of age—1,395 ; and 12 per cent., or 372, are above thirty years of age. Now, it is not taking too much for granted to say that criminals, sentenced to transportation before they reach thirty-one years of age, have commenced their criminal career at a time of life when they should have been learning a better way. But society has *ignored* their very existence. Let us see what society pays for its indifference. Offenders, generally, are not sentenced to transportation until they have appeared at the bar four or five times. I will, therefore, suppose the expense of between three and four prosecutions, at Assizes or Sessions, to be £50. The average imprisonment of each offender *before* transportation may be taken at three years, and the expense of it at £65 ; three years’ probation in separate confinement, at Parkhurst, or public works, £50 ; removal to the Colonies, &c., &c., £35 ; total, £200. So that when 3,000 sentences of transportation are passed in a year, we may consider them tantamount to a notification to the public that a last instalment of a sum exceeding half a million sterling is about to be called for ! To be as precise as the nature of this inquiry will allow, the 2,728 convicts under thirty-one years of age, to whom I have already alluded as having run the career of juvenile criminality, represent a cost *waste* of £545,600 ! But let it be remembered that the felony of this Kingdom—and whether juvenile or adult, it belongs to this question to consider the fact—is not maintained, while at large, for nothing. Having investigated, to a considerable extent, the rates of income derived by thieves from their practices, and having obtained estimates of the same thing from intelligent and experienced convicts themselves, I believe myself to be within the real truth, when I assume such income to be more than £100 a-year for each thief ! Well, then, allowing only two years’ full practice to one of the dangerous class previous to his sentence of transportation, I do not know how the conclusion can be escaped that, in one way or another, the public—the easy, indifferent, callous public—has been, and is, mulcted to the amount of more than a million sterling, by, and on account of its criminals annually transported ! But its criminals who are not transported—still living on their dishonest gains, or in our costly prisons ! We must not forget them in our calculations of the cost of crime, though it will be sufficient for my present purpose merely to refer to them, and to say that I am convinced that their cost to the community in and out of prison amounts annually to some millions ! This assertion may be somewhat startling : I will only state one fact

in support of it. Some years ago a committee of inquiry into the annual depredations of the Liverpool thieves, stated the amount of those depredations at *seven hundred thousand pounds* ! Need more be said on the economical part of this momentous question ? Need I ask you to balance between the charge of training the young outcasts of the country to godly and industrious habits, and the waste of money, time, and *SOULS*, consequent upon our neglect of an undeniable Christian duty ?”

This is the result of our economy, but the late Mr. Rushton, the estimable police magistrate of Liverpool, stated to a Committee of the House of Lords, in the year 1847, that 14 juvenile cases in Liverpool cost 100 guineas, besides the expense of transportation. Seventy-seven boys were placed in the Warwick Asylum at a cost of, for the whole, £1,026, and 41 were reclaimed. “So that,” he continues, “if you divide the cost by the number reformed, it will be found that while on our system at Liverpool it has cost 100 guineas in each case, and that 10 out of 14 have been transported, it has only cost 25 guineas in the Asylum, where 41 out of 77 have been reformed.” With these facts before him, Mr. Frederick Hill wrote most truly :—

“The expense of our present system is enormous. We commit and re-commit, each re-committal being a certain cause of increased future expense, as the culprit is but hardened in vice by contact with his fellows. From a return made to the House of Commons in February 1852, on the motion of Sir John Pakington, of the number of criminals not exceeding sixteen years of age, committed to prison in the years 1849 and 1850, we learn that in 1850, the total number of these juvenile offenders committed was 7070. Of these about three-tenths were under thirteen years of age, and of 757, under sixteen years of age, and remaining in prison on the first of November, 1851, 205 had been in prison once before, 90 twice, 49 three times, and 85 four times, or oftener ; 45 were illegitimate, 329 had lost one parent, 103 were orphans, 327 were unable to read 554 had no trade or occupation. Had these children been committed to some reformatory school, we might, we would, have been spared the increased expenditure on their re-committal, and they would have become good and virtuous rather than more determinedly vicious.”*

Great as this expense to the Nation is, another, and one far more injurious, arises from the continued crime in which

*See Hill's “ Crime, Its Amount, Causes, and Remedy.”

the unreformed criminals, let loose from our ordinary prisons, live. Mr. Garwood quotes, from the *City Mission Reports*, the case of a man who had been twenty years a pickpocket : he had during that period been twenty times in gaol, and had trained five hundred young thieves. In Mr. Clay's *Report of the Preston House of Correction*, for the year 1850, there is a very remarkable and important narrative of the depredations of a gang of fifteen pickpockets. The facts were revealed to Mr. Clay by one of the culprits named Flanagan, and the estimates given were verified by questioning the other members of the "pickpocket division." Mr. Clay writes :—

" Estimate of the loss inflicted on the public, by the undermentioned pickpockets, &c., during their several careers :—

1. Richard Clarke, during a career of	6 years	£2820
2. John Clarke,	5	500
3. Edward Clarke,	3	1650
4. Ellen Clarke, (O'Neill)	2½	1550
5. John O'Neill,	9	1450
6. Thomas O'Gar,	6	300
7. James O'Brien,	3½	1400
8. Thomas M'Giverin,	7	1900
9. Thomas Kelty,	20	8000
10. John Flanagan,	14	5800
11. John Thompson,	5	1800
12. John Bohanna,	6	1500
13. J. Shawe,	3	600
14. W. Buckley,	7	2100
15. Sarah Dickenson,	3	630
		£32,000

To give a more exact idea of the extent to which the public may be plundered by a *single hand*, I subjoin the particulars of such robberies as Flanagan can remember to have committed. These particulars are arranged from Flanagan's MS., in the order of their dates. In making out his list, F. was directed to enumerate those robberies only in which the value exceeded £10. He stated, however, that his robberies *under* £10 would far exceed in amount those *above* that sum. 'Oh, sir,' he said, 'when Macready would be acting at the Manchester Theatre, I could get three watches of a night, besides purses.'

1838 and 1839.

Value.	Where robbery committed.	From whom.
£20	Concert, Liverpool .	A gentleman.
15	Theatre, Liverpool .	A gentleman.
11	Zoological Gardens .	A lady.

Value.	Where robbery committed	From whom.
£30	Coach-office, Liverpool .	Proprietors.
46	Auction, Broughton-road .	A lady.
30	Auction, Cheetham-hill .	A lady.
15	Auction, Pendleton .	A lady
21	Manchester . . .	A till from a liquor-vault.
50	Manchester . . .	A till from a public-house.
11	Leek, Stafford . . .	Shopkeeper.
85	Hanley Races . . .	A gentleman.
49	Northallerton Fair . . .	A drunken farmer.
12	Liverpool Packet . . .	Passenger.
18	Liverpool Packet . . .	Passenger.
30	Liverpool Packet . . .	Passenger.
45	Horncastle Fair . . .	A lady.
17	Leeds Fair . . .	A butcher.

1840 and 1841.

10	Lincoln Fair . . .	A gentleman.
14	Lincoln Fair . . .	Captain of a boat.
10	Spalding Fair . . .	A farmer.
11	Horncastle Fair . . .	A maltster.
10	Liverpool Races . . .	A gentleman.
16	Liverpool Races . . .	A farmer.
17	Chester Races . . .	A lady.
11	Manchester Races . . .	A lady.

1841 and 1842.

10	Manchester Theatre . .	A lady.
70	Bury Fair . . .	A cattle-dealer.
250	In the street at Manchester	An officer of the Highlanders.
15	Knutsford Races . . .	A jockey.
30	Doncaster Races . . .	A publican.
18	Nottingham Races . . .	A butcher.
14	Derby Races . . .	Unknown.
13	Crowle, Lincoln . . .	A publican's wife,
12	Caister, Lincoln . . .	Farmer.
11	Market Raisin . . .	Gentleman's servant.
60	Brigg Fair . . .	Farmer's wife.
21	Louth, Lincolnshire . .	A coachman."

Thus we have shown, from the best and truest sources, the only methods by which the Prison can be rendered really useful: and we have placed before the reader the various advantages of that system which we advocate, and have pointed out the terrible evils of our present imperfect discipline. We squander thousands in prosecution, but we will not spend hundreds in reformation, or in prison education, which will send the young criminal out into the world, able to exist by his own honest industry—an industry which he had learned

in the separate cell, where likewise he learned that there was a God to reward and punish. He would be there removed from his vicious companions, and from the old haunts of crime, gaining strength to resist the temptations of former associates—for, as Mr. Plint observes—"The connexion of the young criminal with his class must be broken, ere scholastic instruction can be made to tell on his moral nature. Such instruction will fall upon him as powerless and futile as straw-darts on the scales of Leviathan, so long as the associations and the scenes of his daily domestic life, if domestic it may be called, bring daily more than counteraction."*

We have dwelt at considerable length upon this portion of our subject, because it is perhaps the most important of all. We shall, in a future number, discuss the various systems of convict labor, but we cannot defer recommending to all who wish to be fully informed upon every point of prison discipline, the invaluable works, by the Reverend Mr. Field, and the Reverend Mr. Kingsmill, with which we head this paper, and to which, in its course, we have so frequently referred. They have done all that the Priest, the Scholar, and the Patriot could accomplish to place a most important subject, in its various phases, and in its true position, before the Kingdoms.†

But as our prisons are not yet perfect; as the Nation has yet to learn its real interest, the "City Arab," and the "Home Heathen" must be prosecuted at the expense of the ratepayers, or educated into honesty at the cost, and through the charity of the wise and good. And as there has never been a period in the history of our people when kind hearts, and noble minds were wanting in genuine humanity to aid the lowly, so here, in support of Reformatory Schools, we find placed before us the excellent works of Mr. Thomson, and of Miss Carpenter.

Mr. Thomson is a magistrate of Aberdeen, and a most ardent, yet careful, guardian of the poor, and he considers that the interests of all classes can be best secured by teaching the poor that virtue is superior to vice. Miss Carpenter is a

* See Plint's "Crime in England, its Relation, Character, and Extent, as Developed from 1801 to 1848," p. 151. This is a very excellent book, in intention, and most carefully compiled, but with many, very many, of its elaborate deductions we cannot agree.

† See a very important paper in "Meliora," Second Series, p. 130, by Mr. Field, entitled "Hints on Imprisonment and Penal Labour."

lady, of humble position, who has devoted her life to the reformation of juvenile criminals. Of what, with care, might be accomplished Miss Carpenter is a most safe authority; of what has been achieved, and of the means by which it has been brought about, Mr. Thomson is the best and surest exponent. All the sources of juvenile crime which we have, in this paper, indicated, are admitted by him to be correct, and were, about the year 1840, found to have produced the most serious effects in the town of Aberdeen. Mr. Watson at that period held the office of sheriff, and he thought that some measures should be adopted by which the every day increasing evil might be checked in his shire, and he accordingly planned the now important schools of Aberdeen. There is nothing absolutely new in the Aberdeen schools; they possess no one feature which is not to be found in some other school, or poor house, or hospital. But the perfection of the system lies in the complete combination of all the perfections of every other Industrial school.

It was known that in June, 1841, there were 280 children in Aberdeen, under fourteen years of age, who maintained themselves, professedly by begging, but partly by theft. Of the 280, it was discovered that 77 had been committed to prison during the year ending June, 1841. The Magistrates of Aberdeen are wise, clear-headed men, and they thought that God and the Nation would be the more honored, and the latter the more benefited, if some plan were adopted by which the younger portion of the poor could be saved from the contamination of the street, and the gaol, through the instrumentality of the Reformatory School. A committee was accordingly formed, and in October, 1841, a subscription, under one hundred pounds, was collected, and with this sum the Managers resolved to commence their experiment, and opened a school in large but humble rooms, in which it was announced that food and instruction would be given to sixty children, who would be employed in such work as suited their years. No child was, of course, compelled to attend; but the child absent from morning school received no breakfast; the child absent from forenoon school received no dinner; the child absent from afternoon school received no supper. The effect of these rules was to produce a better attendance than at the ordinary day schools. The children devoted four hours in the day to

lessons; five hours to work; and they received three substantial meals per day. The whole produce of the children's industry was and is devoted to the support of the institution, and they are thus wisely taught that they pay, by the produce of their work, the cost of their support and education. Under this system, as under that of the Ragged schools, children who were at their entrance rough and violent soon became obedient and docile, and whilst juvenile criminals, or unconvicted offenders, were thus learning the value of honest labor, the Police Returns were lightened, and the rate payers were relieved from a portion of the ordinary amount of taxation.

The Committee do not profess to clothe the children, but through the kindness of friends they are enabled to distribute such portions of clothing as may be necessary to the most destitute of the scholars. *Kind training* is the whole principle of the system. The children are taught the common branches of instruction; they are taught the truths of religion, and are all fed; thus every species of attraction is opened to poor parents, and the young scholar is made a self-supporting Christian for life, at a lesser cost than would be placed upon the country by a single conviction for one offence against person or property. We now place the working of the system before the reader, in Mr. Thomson's own words:—

“The following is the daily routine of the school:—The scholars assemble every morning at seven in summer, and eight in winter. The school is opened by reading the Scriptures, praise and prayer, and religious instruction suited to their years; after which, there is a lesson in geography, or the more ordinary facts of natural history, taught by means of maps and prints distributed along the walls of the school-room; two days in the week they have a singing lesson; at nine they breakfast on porridge and milk, and have half-an-hour of play; at ten they again assemble in school, and are employed at work till two; at two o'clock they dine usually on broth, with coarse wheaten bread, but occasionally on potatoes and ox-head soup, &c. The diet is very plain, but nutritious and abundant, and appears to suit the tastes of the pupils completely. It is a pleasing sight to see them assembled, with their youthful appetites sharpened by four hour's work, joining, with outward decorum, in asking God's blessing on the food He has provided for them, and most promptly availing themselves of the signal given to commence their dinner. From dinner till three, the time is spent in exercise or recreation; from three to four they work; and from four till seven they are instructed in reading, writing, and arithmetic. At seven they have supper of porridge and milk, and, after short religious exercises,

they are dismissed to their homes at eight. On Saturday they do not return to school after dinner ; and occasionally, as a reward of good behaviour, they accompany the teacher in a walk to the country or the sea-coast. On Sunday they assemble at half-past eight for devotion ; breakfast at nine ; attend worship in the school-room ; after which, they dine, and return home so as, if possible, to go with their parents to church in the afternoon. At five they again meet, and have *Sabbath-school* instruction in Bible and Catechism ; at seven, supper ; and, after evening worship, are dismissed. The children of these schools having, in general, no example of *industry* shewn to them at home, it is a new thing, a new idea to them ; and here lay one great difficulty at the outset—it seemed impossible to get them to persevere in their work. By degrees, however, the teacher prevailed ; and sooner, perhaps, than could have been expected, work became a pleasure rather than a penance ; and now, when two or three new scholars are admitted, however bad their previous habits may have been, there is little difficulty in managing them—they soon fall in with the established order of the school, and quietly learn their tasks. The feeding the children is also a peculiar feature in these schools, and it is the part of the system, the value of which is most clearly and distinctly appreciated by the scholars, and, perhaps, by their parents. Industrial schools for a *higher* class, may be conducted with all efficiency, without food being furnished to the scholars ; but, for the class for whom these schools are intended, it is absolutely essential. In no other way can it be proved to them that there is an earnest desire to promote their advantage. They want food ; it is offered to them, but on the condition that they take the teaching and training along with it : hence the rule, that absence from the work or lessons preceding each meal, unless for sufficient cause, forfeits the succeeding meal. Under our present laws, they cannot be forced to come ; they can only be induced and tempted by obvious and palpable advantages offered to them. It was said at the commencement, that they would never attend regularly ; that they might come for a day or two, but they would soon leave, and return to their idleness. Experience, however, has proved the contrary ; the food has been an irresistible inducement. A few were removed by their parents, who preferred the wages earned by their children as beggars to all the inducements held out to them : for there was no power and no wish to compel attendance. A few left, because they could not endure the restraint to which the school subjected them ; but the large majority continue till they are provided with remunerative employment elsewhere, or till their parents come to have the ability, and to see the duty, of themselves maintaining and educating their children. The original Boy's School was opened on 1st October, 1841 ; with 20 scholars, which number was gradually increased to 60. The total number admitted during the first six months was 109 ; and it is no wonder that at the outset some were admitted who were unsuitable, and some who, only remaining for a day or two, could not know whether they would like the school or not, and others whose parents would not permit them to remain ; but by the time the school was fairly in operation, viz., the months

of February and March, with 60 on the roll, the average attendance rose to $53\frac{1}{2}$ daily: the average for the whole six months was 36. The amount of work done for the first six months was £25, 19s., or nearly £1 per week, or 14s. 6d. for each scholar. The total expenditure for the six months was £149, 15s. 4½d., of which, for food £81, 18s. 9d., or for each, £4, 8s. 10d.; and, deducting his earnings, £3, 13s. 4d., equal to £7, 6s. 8d. per annum—a cost, as was to be expected, considerably greater than in after years. From 1st April 1842 to 1st April 1843, the number of admissions was 103—the average daily attendance was 52. The amount of work done was £58, 19s. 4d.—about £1, 2s. per week; and the total expense for the year, £333, 10s. 9d., of which, for food alone, £235, 6s. 2d. The expense of each scholar was thus £6, 8s. to the Institution, and his earnings £1, 2s. 8d., leaving, as the cost of feeding and teaching each boy, £5, 5s. 4d. The latter part of this year, and the commencement of the following, proved the *critical* period in the history of the establishment. The interest felt in it by the public, at the first opening, gradually subsided, the subscriptions greatly fell off, and the directors must have abandoned their scheme and dismissed the children, but for the liberal donations given by the Town Council and by the trustees of the Murtle charitable fund. Even with these aids, they were compelled to refuse almost all fresh applications, and even to dismiss all whose cases were not of the most urgent description; thus reducing the number on the roll from 59 to 35. The public, however, began to take a more lively interest in the school. Subscriptions came in, and the directors once more opened their doors to all applicants; and by the 30th March 1844, the number on the roll was 69. It may illustrate the class of children attending this school, to give the ages and family circumstances of these 69:—Under seven years of age, 4; between seven and eight, 5; between eight and nine, 11; between nine and ten, 18; between ten and eleven, 11; between eleven and twelve, 5; between twelve and thirteen, 10; between thirteen and fourteen, 5; orphans, 4; motherless, 4; fatherless, 36; both parents alive, 25. Thus, of the 69 boys, 45 were from eight to twelve years of age—precisely the period when teaching and training are most needful for those who must support themselves in after-life by their own industry. No less than 36 had lost their fathers, while only 4 had lost their mothers. Ought not this to teach the public the duty and necessity of coming promptly and effectually to the aid of the widow, to enable her to train up her children, so that they may not prove a torment and disgrace to her, and a pest to society? Inquiry into the 25 cases where both parents were alive shewed, that in some the father had deserted his family, and that in others he was disabled from work. For the whole of this year the average attendance was $44\frac{1}{2}$, and the earnings, £54, 14s. 6½d., or £1, 4s. for each; and the expenditure, £252, 6d. 3d. (of which for food, £182, 9s., being £4 a year for each)—making the average expense of each pupil £5, 12s. 1d., and, after deducting the earnings, £4, 11s., of net outlay. For the year 1844-45, the average attendance was $51\frac{1}{2}$, and the earnings, £71, 6s. 11½d., or £1, 7s. 8½d. per head. The total expenditure, £309, 4s. 10½d.: £5, 18s. 10d. each,

or, deducting earnings, £4. 11s. 1½d per head. During the year, 17 boys left school, having got employment in various ways; 4 were removed by their parents, who had become able to support them; and 4 were admitted into other charitable institutions. At 1st April, 1845, the number on the roll was 27. Under seven years of age, 6; between seven and eight, 11; between eight and nine, 7; between nine and ten, 15; between ten and eleven, 11; between eleven and twelve, 4; between twelve and thirteen, 8; between thirteen and fourteen, 3; 38 were fatherless, 2 motherless, and 32 with both parents alive, but eight of them deserted by the father—making, in point of fact, 46 of the 72 to be fatherless. Farther, it is to be mentioned in this year's Report, that, of the 72 boys, 24 have attended the school for more than two years, 18 for more than one year, and 30 from one to twelve months."

The result of these schools was found to be so satisfactory, that in June, 1843, a Girls' Industrial School was established, upon the same plan and with equally good effects; and in May, 1845, a Juvenile School was founded, which first took the form of a soup kitchen, and eventually, the way to the brain and heart, really in this case, lying through the stomach, became a very useful industrial and educational institution. These effects were produced by a power given in the local Police Act of Aberdeen, which authorises the force to suppress juvenile mendicancy. Mr. Thomson thus describes the manner in which the scheme of repression and reformation was accomplished:—

"The object proposed by this new school was to put an end to juvenile mendicity, by at once laying hold of the whole of the offenders, under authority of the Police Act, and providing them with food and instruction. When the plan was fully explained to the police authorities, they most judiciously agreed to pay from the funds the expense of the teachers for a time, until the experiment should be fairly tried. The managers of the Soup-kitchen gave the use of their buildings gratis; and the great moral experiment was commenced with only £4 sterling of money collected. Instructions were given to the police, on the 19th May, 1845, to convey every child found begging to the Soup-kitchen; and, in the course of the day, seventy-five were collected, of whom four only could read. The scene which ensued is indescribable. Confusion and uproar, quarrelling and fighting, language of the most hateful description, and the most determined rebellion against everything like order and regularity, gave the gentlemen engaged in the undertaking of taming them the hardest day's work they had ever encountered in their lives. Still, they so far prevailed that, before night, their authority was comparatively established. On their dismissal they were invited to return next day, informed that they could do so or not as they pleased, and that, if they did, they should be fed and instructed, but that whether they came or not, begging would not be tolerated. Next

day, the *greater part* returned! The managers felt that they had triumphed, and that a great field of moral usefulness was now secured to them. The children brought to this school were far below those who attended the other two institutions, low as they appeared to be when the schools were first opened; and the scene of filth, disease, and misery, exhibited even in the school itself, was such as would speedily have driven from the work all merely sentimental philanthropists. Those who undertake this work, must have strong sound principle to influence them, else they will soon turn from it in disgust. The school went on prosperously, it soon excited public interest, funds flowed in, and, what was most gratifying, the working classes took a lively interest in it; and, while the wealthier inhabitants of Aberdeen contributed during the year about £150 for its support, the working men collected, and handed over to the committee, no less than £250."

All men, rich and poor, felt the benefits of these efforts. The poor in particular subscribed most liberally, and did so because they felt that by snatching the young criminal vagrant from the street, their own children were saved from contamination. They stated, as Mr. Thomson writes:—"Before this school was opened, we were afraid to trust our children a moment out of doors alone; they were exposed to learn, and did learn, all manner of mischief; but now this school has cleared the streets of the little vagabonds who corrupted them. We are not now afraid to let them out, and therefore we support this school."

Here we possess a very valuable means of judging of the various benefits of the Aberdeen system in reforming the young offender, and in rendering education acceptable to the very poor; the children attend regularly, and whilst, in 1841, the number of children under twelve years of age committed to prison in Aberdeen was sixty-one, in 1851, the numbers had declined to five. This fact is clearly attributable to the schools. The first was opened in 1841, the number of juvenile committals was in that year, as just stated, 61; it declined in 1842 to 30, but owing to the dismissal, for want of funds, of many scholars in 1843, the number of juvenile committals rose to 63. These are important facts, and should be viewed in relation to the improved condition, in soul and body, of the child. The cost, too, of prisons and of these schools, is most important. Mr. Thomson states:—

"When we get hold of these children, and instead of sending them to prison, bring them to our Industrial Schools, we find the whole expense of teaching and feeding them is under £5 a-year. And of that expense, on an average, about £1 5s. is saved to the

school by the work of the children. So that we can bring up children, so far as man can do it—honestly, and industriously, and religiously, at an expense of £3 15s. per annum. Whereas, if you send them to the poorhouse, they cost about £10 per annum each with us, and I believe a larger sum in this country. If they are sent to prison, we know that the expense is from £18 to £20; and if we send them upon the distant voyage to Australia, we know that the cost altogether amounts to a very large sum. Upon an average of cases, we find that five years' training in the Industrial Schools is sufficient to make the child a useful member of society; and suppose the expense to amount to £5 per annum, we have then the choice of making one of these children an honest and virtuous member of society for £90, or of sending him ultimately into a penal settlement, at a great cost."

To these Feeding, and to the Ragged, Schools the truest feeling of sympathy should be extended. Miss Carpenter, whose experience is wide and watchful, considers that from both these systems the very best results must spring. The efforts already made prove that no class of society is too degraded to be improved, and that the young criminals and the juvenile vagrants may be reclaimed by exertions judiciously made on their behalf; such efforts must be successful, if we do not expect from them what they cannot possibly effect. The minds of the boys become deeply impressed by feelings of affection for their teachers. Before entering the Ragged Dormitory a long and harassing probation is required: breaches of rule, and misconduct, are punished by hard, scanty fare, and many boys dismissed from the school have entreated the masters to restore them, and have endured most severe deprivations of food and companionship to secure re-admission.

These Feeding Schools, and Ragged Dormitories should be supported by freely given alms; refuges should be established for discharged juvenile criminals. Mettray is an example of what may be accomplished in this way. Writing of that institution, Mr. Turner, of the Philanthropic, informs us that "since its first establishment in 1839 there have been received 521. The number of present inmates is 348, leaving a remainder of 173 to be accounted for. Of these 173, 17 have died, 12 have been sent back to their prisons for misconduct, and 144 have been placed out in various situations in the world. Of the 144 thus placed out, 7 have relapsed into crime, 9 are of doubtful character, and 128 are conducting themselves to the full satisfaction of the Directors and of

the 'Patrons,' under whose superintendence they have been placed."

In England we have the Durham Refuge, established in 1848 by the Chaplain and Governor of Durham gaol. It has restored 359 prisoners to their friends, or placed them in situations where they can earn their bread by honest industry:—of these, only twelve were recommitted. The Great Smith-street school, Westminster, of which Mr. Martin writes, is another excellent institution, and has reclaimed numbers from the evils of vicious association. A Refuge is necessary, indeed; for no sooner does the out-going criminal reach the prison gate than his old companions gather around him, and thus he is lost because there is no Mettray for England. As we shall in a future number refer to Mettray, we here place before the reader Mr. Field's concise account of that institution:—

"By the 66th Article of the Penal Code it is decreed:—'that when the accused party shall be under sixteen years of age, if it be decided that he has acted *sans discernement*, he shall be acquitted, but, according to circumstances, shall be returned to his parents, or sent to a house of correction, to be there educated and detained for as many years as his sentence shall appoint; provided always, that the sentence shall not extend beyond the period when the boy shall be twenty years of age.' It is then from the class described in the above article, that the children placed under discipline at the Mettray Establishment are selected. They have been sentenced to the loss of liberty for a sufficient term to allow of some length of penal treatment, and if the offence has been committed in Paris or its environs, this is inflicted in the Cellular Prison of La Roquette; this imprisonment is succeeded by the course of religious and industrial instruction, which is provided at Mettray, and of which the pupils are stimulated to avail themselves, by numerous rewards, and the certain expectation of future advantage, whereas if they misconduct themselves they are sent back again to prison. By the various reports which have been published, and by private correspondence with a clergyman residing in the immediate neighbourhood, I have ascertained that since the establishment of the institution, about six hundred boys have been under its discipline. There had been up to the date of the last official report in my possession, five hundred and twenty-one boys received. Of these, 348 were still inmates of the Institution; 17 had died; 12 had been sent back to prison for misbehaviour; 144 had been placed in situations. Of these one hundred and forty-four, no less than one hundred and twenty-eight were conducting themselves to the entire satisfaction of the 'Patrons,' whose duty it is to watch them carefully during three years; seven had been again convicted, and the character of nine is doubtful. The foregoing brief description suggests some thoughts on this interesting subject, in addition to those noted in my former publication. Whilst the French code,

which has been quoted, presumes children under sixteen years of age to have acted *sans discernement* ; our own law supposes an infant, (defined, to be one under the age of fourteen years) to be *incapax deli*. If, however, evidence be adduced, proving that an offender thus young, hath knowledge to discern betwixt good and evil, he is responsible and subject to punishment. And truly, in such case, our penalties commonly inflicted, have been of a kind to perfect their capacity for this, and to destroy any perception of good. If they have been precocious in wickedness, our prisons have furnished them with accomplices, and they have soon become adepts in villany. Well is it for us that although late, men are now everywhere learning this truth. Hence the improvements of Parkhurst, and the more perfect plans of Mettray."

Some such plan as this of Mettray must be adopted in these Kingdoms. Mr. Recorder Hill states that we might prevent juvenile crime by *anticipating* the offence ; but even in Parkhurst, where our slovenly imitation of Mettray, and of the Rauhe Haus, in Hamburgh, is attempted, we compel the Chaplain to complain, in his last *Report*, that the class of officers employed is not calculated to aid in developing the full advantages of the system.

It is easy to raise objections to the various suggestions here offered ; it is quite within the ability of the penny-wise politician to declare that the expense of all these proposed changes is enormous, but there is a terrible argument in the fact that crime is every day increasing, that CRIME IS BECOMING, as Mr. Frederick Hill states, HEREDITARY. We do not contend that the manufacturing districts are more criminal than the agricultural. Mr. Clay has truly said—"IT IS NOT MANUFACTURING MANCHESTER, BUT MULTITUDINOUS MANCHESTER, WHICH ENGENDERS CRIME." But in this Multitudinous Manchester there are, as we have proved, all the demon vices which ignorance can foster. In our cities and hamlets there are all the seeds of crime, and we never seek to check its growth, but permit every evil influence to flourish in the dank soil of godless, undirected, nature. So it was in France when the first fierce roar of a maddened people arose to drown the voice of Religion, of Virtue, and of Humanity : so it may be in England, if the facts which Mayhew, and Garwood, and Beames, and Worsley, and Hill have disclosed be suffered to continue,—facts disgraceful to England, and most dangerous to the integrity of the Kingdoms. To have freed the slave is noble ; to have emancipated all religions is noble ; to have taught the world great principles of justice

is noble ; to have civilized and colonized new worlds is noble ; to have defeated the conqueror of all European Nations is noble ; to have produced poets and orators, historians and painters, and sculptors, whose names are words of love and reverence in all lands, is noble—all these are high and glorious things to be recorded in after times—our shames are our Juvenile Criminals, and our Prison Discipline.

That many of our most influential and world-known men are now able to understand these truths is evident ; and the speeches addressed to the Birmingham Conferences, on Juvenile Delinquency, held in 1851, and on the 20th of December, 1853, must have explained the bearing of the subject, in all its relations, to those who feel the slightest interest in this most important movement. Ireland, we are aware, is not so active in this matter as she should be, although, by the evidence of Mr. John Ball, M.P., given before the Committee on Criminal and Destitute Juveniles, it appears that this class is rapidly increasing in Dublin, Limerick, Belfast, Cork, and indeed in all our large towns. Over-crowding in lodging houses, and the total neglect of all decency, in these places must create and perpetuate this class of criminals in Ireland. It has, as we have proved, had the most marked effect in England, and the following table will show the condition in which, in one district of Dublin, the poor herd together : it should be premised that the greater number of these kennels are common lodging houses, taking nightly lodgers, not included in the enumeration of occupants:—

Districts.	Houses Occupied by Room-keepers.	Rooms.	Beds.	Persons.	Privies.
The Coombe.	102	513	784	1890	72
Cole-alley.	34	177	131 & 273 "wads" on floor.	930	26
Skinner's-alley.	18	77	158	304	14
Pimlico.	24	110	182	424	16
Thomas-street.	80	491	751	1656	49
Bridgefoot-st.	28	151	319	658	21
Meath-street.	70	421	641	599	41
Francis-street.	72	467	777	626	58
Church-street.	105	635	872	2435	77

When, in the year 1818, Jeffrey reviewed Buxton's work on Prison Discipline, he lamented that subjects, such as that advocated in the book before him, were not more frequently urged upon the attention of the Legislature; and attributed the neglect to the fact that all such questions, being devoid of party interest, were considered unworthy of discussion. But now the subject of Prison Discipline, and of Reformatory Schools, has acquired a National importance, and upon the Committee of the Birmingham Conference we read the names of Lord Calthorpe, Sir John Pakington, M. P., Lord Lyttelton, the Earl of Denbigh, Lord Leigh, the Bishop of Worcester, Sir Robert Peel, M. P., and others of note. Many of those with whose works we head this paper attended, and although differences on collateral points occasionally arose, in discussing the subject of punishment, yet all united in the fullest concurrence with the sentiments of the Speaker of the House of Commons, who wrote—"If we can arrive at the establishment of well conducted reformatories for juvenile delinquents we shall do more towards the suppression of crime than by the best system of prison discipline for adults that has ever yet been devised."

These are sentiments worthy of one holding the high position of him who wrote them, and such as should be addressed to a Committee issuing a circular similar to that sent forth by the managers of the Birmingham Conference, and from which we extract the following passage explaining the objects and hopes of the advocates of Juvenile Reformation:—

"The propositions which the Conference of 1851 laid down as the basis of their discussion, and the resolutions which they passed, have, we believe, in the main, gained the general sanction of public opinion. Legislation, however, has not taken place, and there is much need of continued impulse being given to it by a repeated public attestation of the increasing urgency and importance of the subject, while it will also be highly advantageous that the additional experience and more matured convictions which have been since acquired should be collected, compared, and recorded. Throughout England private experiments have been, indeed, meanwhile rapidly increasing in number; but such efforts, however praiseworthy in themselves, are and must be wholly inadequate to the great object in view, while unassisted by legislation. Scotland has also established local reformatories in six of her chief cities, and one of them, Glasgow, has obtained an act authorizing local taxation for the purpose. The increase of crime, and loss of honest industry thereby occasioned in this country, are lamented by all; yet, still, have we to regret that England remains almost the only

civilized country in which the Legislature deals with the moral destitution and crimes of children by means of imprisonment alone, and hesitates to establish the remedial institutions which other nations have learnt to reckon among primary provisions for the welfare and safety of the community. The fact that transportation, as a chief means of secondary punishment, is now ceasing, aggravates the perplexity and mischief arising from this national neglect. Since the last conference a most useful and extensive inquiry into the condition of criminal and destitute children has been carried on by a select committee of the House of Commons, and a bill for securing the supply, maintenance, and efficient action of reformatory schools throughout England, was introduced into Parliament at the close of the last session, and only withdrawn, after its second reading, upon the assurance of the Government that they would take the matter in hand early next year. It is evident, however, that the Government will be materially assisted in fulfilling this promise if supported by sustained public interest and watchfulness."

These sentiments but express the truth of a statement made so long ago as the year 1557, in the First Ordinances of Bridewell, where it is asserted that there is as great a difference "between a poor man and a beggar, as between a true man and a thief;" because, it adds, a beggar "is one who never yeildeth himself to any good exercise, but continually travaileth in idleness, training such youth as cometh to his or their custody to the same wickedness of life." To see these old hints at government now furnishing guiding matter for our legislature is satisfactory; and if those gentlemen who attended at Birmingham on the 20th of last December be but as active and resolute in their own spheres of usefulness, as their speeches afford reason to hope they will, that cause which Mr. Field, Mr. Kay, Mr. Kingsmill, Miss Carpenter, and Mr. Thomson, have so long, so earnestly, and so successfully advocated, must become the chosen system of the country. If *The Times* newspaper will but continue its present able support of the friends of Reformatory Schools, the work may be looked upon as half accomplished. That journal, in the number for Thursday, December 22nd, 1853, contained a most powerful analysis of the chief topics urged at Birmingham, and in the following passage condensed the entire gist of the question:—

"We know of no reason why a duty of such public interest should not be undertaken by the public, unless we are to yield to that miserable jealousy which would represent anything like public benevolence as a robbery from the common stock

of the innocent for the reward of the guilty. We may, indeed, be told that we are proposing to do more for the young pick-pocket than we do for the honest and industrious child of the village labourer, inasmuch as we propose to teach one a profitable craft, and leave the other plodding his weary way through the clods of the field. Unfortunately, the present plan costs quite as much as the most refined philanthropy could possibly do. We believe it is no exaggeration to say that every London pickpocket sent to Holloway Prison costs the pay of a curate,—of a gentleman who has had a University education, and whose office is the most dignified that man can aspire to. We are spending the revenue of a State in mere punishment, or rather revenge; for what is punishment but revenge, when it leaves our foe worse than it found him? It has been ascertained that individuals have cost the country several thousand pounds in their repeated prosecutions and punishments, and thousands of houseless wretches of all ages cannot wander about the streets without an amount of depredation that must tell seriously on the profits of trade and the cost of living. In fact, there is nothing so expensive as crime. It is the leak in the ship, which may seem a small matter, but spoils the whole cargo, compels delays, overtaxes the strength of the crew, and throws everything out of course and trim."

Our task ends, for the present, here; we have endeavoured to place the entire subject before the reader,—it deserves most serious attention, and it is one to which we shall frequently return. None can doubt that the success or the failure of the important questions of Prison Discipline and of Reformatory Schools depend completely upon the people of these Kingdoms. We have, in this paper, shown the various causes whence juvenile crime springs; we have collected the opinions of many men upon these evils, and upon their remedies; but all the efforts of all our most undaunted champions of the young offenders, must fail of success unless the Nation will learn that to teach God's law to a poor child criminal, or a neglected child who may become criminal, is cheaper than to leave him to learn man's law from the judge, and the devil's code from his fellow prisoners.

ART. II.—PHASES OF BOURGEOIS LIFE.

Memoires De Jerome Paturot, Patenté, Electeur, et Éligible.

Par Louis Reybaud. 2 tomes : Paris.

"Oh! what a delightful story, and how true to nature!" is a common exclamation, when we discover a work of fiction furnished with a skilfully contrived plot, a well sustained group of characters, and the closing scene embellished with a picturesque and well painted view of the temple of Hymen. This is the inconsiderate judgment of the pleased and interested reader; and yet, a Pantomime, a work of art that has never yet been considered a model, as far as unity of purpose, or a truthful image of life, is concerned, resembles much more what we see in the ordinary economy of this world of ours. For, as the hero and heroine, after various trials and troubles, have vanquished Giant Despair, and his crew of impish followers, and are now in the abode of peace, in the island of Silver Streams, and may naturally expect repose and content, hey, presto! after basking for a moment or two in the smiles of the satined and spangled Good Genius, they are obliged to begin, de novo, new turmoils and fatigues, and some of these attended with mean and pitiful circumstances, from which their former trials and suffering were exempt. Hence it is, that such works as *Gil Blas*, *Hajji Baba*, and even the *Dodd Family*, bating its narrow-minded and illiberal views and extravagance, are nearer a true portraiture of human experience, than other fictions that approach the normal pattern of such productions. As we propose, in our foreign selections, to inform, as well as interest our readers, we pass by those stories that smack of the feverish-excitement-combinations manufactured for the feuilleton, and take up the married state of our old friend *Jerome Paturot*,* satisfied that we cannot fail to meet therein pleasant and true sketches of the ordinary, every-day, life of the Parisian Bourgeois.

What we relish in the satirical pictures of Reybaud, Morier, and Thackeray (the latter when in his best moods), is the good nature and love for their kind that is ever peeping out through the tissue of their railleury. They are like fathers or teachers looking on at the gambols of their children or pupils, and indulging in a smile or genial laugh, at any ridiculous mischance

* See IRISH QUARTERLY REVIEW, Vol. III. No. 11, p. 497.

that occurs ; but the ill-natured sneer is seldom seen on their countenances. Thackeray, indeed, is affectedly fond of unearthing some mean motive as the prime mover of our actions, even of the best kind, and of turning up the drawing-room carpet to show the proud lady of the mansion the ends of the threads, and the blurred and incongruous appearance of the wrong side. We would say that he finds it difficult to create or fill any character varying from a regular stock company engaged several seasons since, among whom figures the selfish, unprincipled, amusing, traditional, Irish *Teague* handed down from Farquhar, and whom he will resign for any earthly crowns, no more than *Miss Miggs* would abandon *Sim Tappertit*. We regret his poor opinion of Irishmen, but cannot afford to find grief for such mischances. He has been through our island, and, with our faults and shortcomings, he has had an opportunity of witnessing the many redeeming points of our dispositions, and might have turned them to better account than he has yet done. We hope that he possesses independence of character, and that he has not held us up to ridicule for the unworthy purpose of raising a bitter laugh at our expense, amongst his fine English audience, and thereby gratifying their national vanity and enhancing his own popularity. No, no ; being merely intent on keeping the risible muscles of his readers' faces at the grinning point, he can afford to look but on the ridiculous or contemptible side of our social aspect. This is the only profitable point of view for his purpose. It would prove a hazardous speculation to portray our sincere devotion to all that is heroic, generous, and unselfish in our historic national traditions ; our persevering exertions wherever success is practicable ; our instinctive perception of the true and ideal in art, and our patient endurance of adversity even when every avenue to success seems closed.

But why should we complain of unjust treatment at the hands of a stranger, when we receive the cup of obloquy, brimful, from the hands of a son of the soil ?

A popular Irish writer having told all the amusing stories he had heard in society, and told them very well into the bargain, and having had, for some years, experience of the modes of life and state of society in continental countries, determined to write a book thereupon, and to delineate the ordinary fortunes and misfortunes of the middle class of English society when on their continental excursions, and the ridiculous and disagreeable

results of their ignorance, and contempt of every thing that does not square with their own usages.

However, as the sale of the work was to depend on English purses, and as John Bull, or any other Bull, has no particular gratification in seeing himself held up to scorn, the ingenious device was adopted of making the English-speaking family take their of departure from Bruff. We refer to Charles Lever and his *Dodd Family On Their Travels*. They are a hopeful clan; the father shrewd but irascible, and, though meaning well, countenancing the most unprincipled proceedings of his wife, son, and daughter: and, oh ye gods, what a trio! Mary Anne with her sentimentality, utter want of maiden modesty, ready to plight her troth to any one who can ensure her a means of reckless expenditure, and about as desirable a wife in every respect as *Dolly Bull*, in O'Keeffe's *Fontainebleau*: the son a gambler, a spendthrift, and a mere sporting adventurer, a few good points notwithstanding: the mother worthy of the son and daughter, a *Mrs. Malaprop*, without heart, or common sense, or Irish family affection. Having selected this worthy family for his purpose, the author fills every town and hamlet on the continent in which they sojourn, with a populace worthy to receive them. The pseudo nobles give themselves all sorts of grand airs, and in return they are fleeced, and cudgelled, and outwitted, and bedevilled, by their well matched entertainers; and surely if *The Dodd Family* and their continental acquaintance are anything like the average living inhabitants of the banks of the Suir, the Rhine, or Como's lovely lake, the sooner these waters rise and cover the worthless natives the better for the rest of the world. *Martin Chuzzlewit* was fortunate enough to pick one worthy American out of the crew of *Chollops*, *Divers*, *Bricks*, *Pawkinsees*, *Haddocks*, and strong-minded women whom he encountered on that unfortunate continent: unfortunate we write advisedly, as Mr. Dickens was not able to find a second estimable companion to this solitary good man. So in *The Dodd Family* there is a poor, pale-cheeked, quiet, prosy girl, gifted with good nature and common sense; and among the continental group of corrupt judges, and their understrappers, and physicians, and couriers, all wretched "doubles" of the same vile characters in operas, vaudevilles, and dramas of which the world is tired, there stands one amiable German nobleman, but he has nothing to do in the story, and *Caroline Dodd* is of no more use

in preventing mischief than the third speaker in a Greek chorus, or the twelfth *Priest* in *Norma*.

The author wastes keen perception, and wit inexhaustible, on a seeming purpose of gratuitously irritating the feelings of our continental neighbours; and the author of *Martin Chuzzlewit* perverted his great powers to vex the Americans for no earthly good end, that we can discover, and both writers have thus abused their privileges in creating sore feelings, instead of worthily using them for the promotion of kindness and friendship among the kindred nations of Christendom. Now, trusting that without the aid of Diogenes and his farthing rushlight, a few more honest men and virtuous women may be found, by indifferent and unprejudiced writers, in America, Europe, and unfortunate Tipperary, we turn to a more genial theme, the chequered life of the acute, imaginative, good-natured, impressible, and indolent *Jerome Paturot*. At the outset, *Jerome* pays a deserved tribute to the genius of *Malvina*, under whose management, hose, drawers, and flannel waistcoats, float in a rich-colored halo shed around them by her artistic power.

Before her time the concoction of these things remained in a rude and empirical condition. Stupid non-artists cut out formless pieces of stuff, sewed them in a diabolical style, adorned them with fabulous buttons, and named the production a vest: but *Malvina* called the article out of this chrysalis state, studied the outline of the separate pieces, improved the general disposition of the garment, and brought it into harmony with the human shape. Once it was a white flannel vest, and no more; but she brought into vogue the tinted specimen, and endowed it with hygienic qualities. Every shade had its peculiar virtue; the rose color relieved the lungs, the violet aided the functions of the stomach, the blue came to the aid of the liver, and the yellow stilled the throbbings of the heart; the purchaser invested himself with the curative envelope, and, by the force of faith, was at once half relieved from infirmity. *Malvina* excelled also in another speciality; she brought the Maillot (*supplementary calves, &c.*) to perfection. The audience who beneath the thousand jets of gas at the Opera, worship the enchanting outline of the perfect human figure, are little aware of the presence of deceitful cotton wadding on those limbs upon whose contours the eye lovingly reposes: they little suspect the stratagems and perfidies of the Maillot, and this is the triumph of the artistes in cotton and silk. Your sculptor takes a shapeless block of marble, and from its chaos creates forms of grace and beauty, but to *Malvina* you entrusted a broom handle and received a *Venus Callipyge* back from her plastic hands. She knew, instantaneously to a hair's breadth, the deficiency in each of her subjects, prescribed accordingly, and the scene at the Opera had a model the more. It gives me

pride to reflect on the Venuses, the Antinöuses, and the Gods and Goddesses innumerable, that have soared to the Olympus of the Opera from the back parlor of our Magazine.

With such a gifted mistress at the head of his establishment, *Jerome* must thrive perforce. He mentions the ordinary gain per annum of a first rate Paris shop in his line, as about 150,000 francs (£6,000); and contrasts it with the paltry 15 or 18 hundred francs, the salary of a Magistrate or President of the Tribunal, or that of a brave officer who for thirty years has perilled his life, and impaired his health in the service of his country, and is rewarded with the munificent pension of 1200 francs.

He also instances the salary of the poor Curé, as not exceeding £40, though the destitute of the parish have to be relieved from this treasure; and observes that no revolution can be achieved successfully without the favor of the shopocracy. When their sales are good and the payment of the bills pretty satisfactory, they are of the opposition; but in a contrary case they range on the Government side. If the three days had been prolonged to eight, they would have recalled Charles Dix. Every thing that troubles the horizon of their sign boards is insupportable, and they are implacable to a political opinion that forces them to close their shutters. Let the aspirant to political eminence take this into account, and study to gain the good graces of the Paris shopkeeper; the pavement of the Cité is his, and the flags of Paris compose the empire of France.

In his present position *Paturet* naturally becomes a member of the National Guard, and for punishment of his past sins he forms an intimacy with his *Serjeant Major Oscar*, a painter of the long-haired school who had sent, to the Exposition of Native Artists, a view of an Omelette Garnished with Herbs, all of a rich green tint,—he called it a landscape.

Jerome introduced this erratic vagabond into his family circle, and had good reason afterwards to repent the inconsiderate act. His notions of future comfort had never soared beyond a snug little country freehold where he might amuse his old age with amateur farming, where *Malvina* might have plenty of ducks and hens to feed: it only needed a rapin, (rapparee he might be called) with long hair and a yellow beard to enter his domicile, and these peaceful projects became thin smoke.

It was apropos to the National Guard that he commenced to unmask his batteries. I served my turn as became a conscientious citizen, nothing more; but Oscar did not choose to let me rest in this honorable but obscure condition. He knew my weak points, and excitable temperament, and directed his attack accordingly. One day on coming to our guard room where his wit and originality never failed to secure him an audience, he placed himself directly in front of me, and crossing his arms on his breast, cried out in a well feigned extacy, "Jerome my friend, are you aware that you bear a striking resemblance to Napoleon?" "Go along, Oscar, I want none of your jokes." "Not the ghost of a joke, on the honor of a soldier: the resemblance is astonishing. Gobert of the Circus (*a Paris Gomersal*) could not look the character better. I'm certain that you have the military bump on your cranium." I checked his zeal but he would not give up the point: he felt my head and pretended to discover the warlike protuberance. Furthermore, he made our comrades, some of whom were laughing at the joke, and others taking it seriously, pass their hands over the mare's nest he had found, and convinced us all that I had Napoleon in the nose, the lips, and the whole of the face. "Comrades," said he, "our present Captain is a fishmonger, a shabby opener of oysters: are we to let the honor of the epaulettes rest on a mollusk, an individual of the inferior tribe of Bivalves, when we have the living image of the Emperor standing before us? He who perished at St. Helena will approve our choice, and bless his representative, from the top of the Column. Hurrah for Captain Paturot;" and the others cried in chorus "Hurrah for Captain Paturot."

Oscar being determined that *Paturot* should climb to this eminence, bad enough it turned out for the poor victim in the sequel, lost no opportunity of bringing the *Oysterman* into discredit, and of exalting his friend. The task was not difficult as he was a popular Serjeant, not over strict in discipline, and gifted with powers of ventriloquism and other amusing qualities. He now caricatured the rival captain in every guard room of the company, and endowed his fancy portrait with a nose of such shape and size as deprived him of forty votes. The walls were besides covered with sketches of *Jerome* in all the honors of the little three-cornered hat, the grey surtout, and the hands crossed behind; and the captain in possession beheld his star hourly decline before the rising luminary of his rival.

For two months before the new election, *Malvina* was more than prodigal in her purchases at the shops of those who had votes or influence, and seemed as if furnishing the house for a siege. Each of these honest citizens seduced five or six others, but Oscar did more in his own person than the whole. He imitated the cock, the ass, the dog, and the cat, with such truth of intonation as stupified

his audience: he sustained a monopolylogue of any number of persons, and gave representations ordinary and extraordinary. An upholsterer who still held out for the captain in office, could not resist a newly invented cancan of Oscar's; a poulterer gave way before an oil painting of two of his children; and a plumassier passed into our ranks after the Rapin had exhausted all the spinach and celery of his palette on his sign-board. The man of fish was almost extinguished, and nothing seemed left for him to do but bewail his destiny, seated on a little heap of oyster shells. Still the victory was not won. For three days before the Election the whole body were regaled by him on testaceous food at discretion, and the issue might have been doubtful, but that the indulgence ended in a very unpleasant fit of indigestion: and now Oscar had no name for the adverse party but the Oyster Faction. On the Election day he multiplied himself, shook some by the hand, and ridiculed others, and seeing as it were the adverse chief sitting gloomily at the bottom of the hall, he exclaimed: "Do you see our Oyster Captain on his bench? Gargon, some lemon juice to relish this Monsieur. Would you like a dozen such to be opened for you, Gentlemen? Voltigueurs, will you have your officers with or without shells? Silence in the ranks; to the left, oysters; form line; by files on the dish, forward; up!"

Our hero is elected captain by a large majority, and conducted to the atelier of *Oscar*, who invests him with a captain's uniform, not omitting a tricorne. This article being set on *Jerome's* head the Rapin bursts out into extacies:—

"Oh, perfect! the very ideal," cried he, adjusting and putting me in every conceivable position. "Bravo, Bravo, don't stir, Oh, 'pon my honor, it's astonishing. Methinks I have my Emperor before me, There will be an emeute in the streets when we appear: the people will be sure that he has returned at the head of a hundred thousand negroes as he once promised to Las Cases. Jerome, my boy, you are the very image of the thirty-fourth natural son of the Emperor. Let's sally forth, and gladden the souls of the people and Madame Paturot." Will I, nill I, forth we issued to receive the homage of the loyal citizens, by virtue of the imperial felt. As it happened no one took the least notice of us, for the officers of the Etat-Major have so abused the Napoleon head-dress latterly that it has become vulgar if not worse. We found Malvina anxiously waiting the result, but owing to the epaulettes, the coat, sword, and hat, she did not at first recognize me. "Eh my Duck," said I. "Oh Jerome is it you," she cried out in rapture casting herself into my arms. I pressed her against my baldric, and Oscar put in his oar. "Madame Paturot," said he with solemnity, "I borrowed a hozier from you, I return you a Captain: please hand me my change;" and poor Malvina could hardly find words to express her gratitude.

When our spirits became somewhat calmer, and we were sitting cosily with our feet on the fender, Oscar began to give me the first lessons in the art of ruling.

"Jerome," said he, "you have become Captain, but the harder task is to come, namely, to continue Captain. Your *voltigueurs* are sheep now ; they will be tigers by and bye. Let our Oyster man be a caution to you ; what was his defect ? He was the prince of good fellows, that's all ; a mere scaffold for his company to climb by."

"Bah ! a mere King of Oysters," said Malvina, with an accent of pity. Oscar continued, "Now let this serve you for a lesson ; you possess a likeness to Napoleon ; make your profit of it ; call your troop *Grognards*, and pinch their ears as he would ; take snuff from your waistcoat pocket, use thundering words, and make the most of your little chapeau. This is your programme, but if you wish really to enjoy a permanent reign, infuse a genuine military spirit into your men ; let them feel a pride in the uniform, in the regularity of the line, and in the exact execution of every exercise and evolution. Without this spirit they are only Pekins more or less disguised ; but the *esprit de corps*, *nom de mom*, and the title of model company, *Sarpejeu !*" "Ah ! Monsieur Oscar, no swearing," interposed Malvina. "Pardon, excuse me, Madame Paturot, but it is in the role. The more Jerome swears like a sacrilant, the greater will be his power ; and let me advise him to fatigue his troop with exercises ; they will adore him for it. Let him take his sentinels by surprise from time to time, and it will be so much the better. Napoleon often did it ; let his men say when they see him about to inspect their accoutrements, 'here is old Ironsides, look sharp ;' and, lo ! he is Captain for ever and a day."

It is not every one that is privileged to attend to two important affairs, successfully, at the same time. *Jerome* wishing to produce a model company, must needs study to become a model commander : he attends the reviews and manœuvres of the troops of the line, and becomes a first-rate tactician. The business of the shop is left entirely to *Malvina*, and at first there was no great harm done, except that the insidious *Oscar* set about making himself at home, in the master's absence, and if *Malvina* were not a pattern of fidelity, *Jerome* would rue his newly acquired knowledge. When *Oscar* was not jesting with the inmates of the magazine, and striving to propitiate the good graces of its mistress, he was employed adorning his painting room with beds of garden herbs, under the name and pretence of views in the environs of Rome. They all bore a striking resemblance to each other : some might perhaps have a deeper tint of green than the rest, and that was all that could be said. Our new captain, by following *Oscar's* plan succeeded in obtaining great influence over his men, and a grand dinner which he gave them confirmed his popularity.

It was a feast of the days of Homer : the Hotel-keeper did not

limit us to cold veal ; he was prodigal of mutton, and nectar at ten sous the bottle, and this was the more generous as he really had to do with customers destitute of a conscience. Abusing the privilege of "*bread and wine at discretion*," our master-cook swallowed two middle-sized loaves, and eight pints of liquor : the plumassier followed close on his heels, and there seemed to be a general, deep-laid design on the larder of the Hotel. In return for the hospitality they received, the ungrateful gluttons inflicted a famine on the establishment ; you would have said that they had not broken fast for twenty hours ; really they exhibited on this occasion teeth and claws not inferior to those of the cannibals of the Pacific Ocean. I never saw such eating in my life, and but that the officers made some amends by their moderation, the poor entertainer would have been forced to cry quarter.

After the songs and toasts in which Madame Paturot was not neglected by our tradesmen, I was called on for a speech. I was never strong in the article of impromptu speaking : so when I found myself surrounded by sixty eager heads, the centre as it were of the rays of 120 flashing eyes, I felt a giddiness. The individuals after all were common-place enough, but still I was awed. By good luck I recalled Oscar's hints ; so taking a Napoleonish pose, and throwing an eagle glance over the company, I began in a pompous tone, "Comrades, I have reason to be pleased with you : nevertheless the Company is not yet what it must be, *nom de nom*. To-morrow will see the commencement of a reform, and it will not be my fault, *nom de nom*, if discipline be not felt. A certain Great Captain would say but this, *nom de nom*, and I will follow the great example. One word more : consider that the company of De Puget contemplate you from the summits of their shakos." This address, pithy, short, and rapid, inflamed my Grognaards : forgetting all reserve they hoisted me on their shoulders, and bore me off in triumph.

Before my election, the company presented a deplorable assemblage of incoherent pantaloons, rubbishy shakos, irregular breast-plates, nothing that smacked of discipline, nothing warlike in the collective grouping. The fire-arms were of twenty different lengths ; some had flints, others percussion caps ; men came in capote or in frock, with or without bandoliers, in varnished boots or shoes of color. The arrangement in line fell out as it pleased the fates, the dwarf took place beside the giant, and the cook and the plumassier allowed their abdominal developments to project half a yard beyond those of their neighbours.

I did not take matters with too high a hand at first ; I merely showed that no irregularity had escaped my eagle glance, and a few words that fell from me *a l'empereur* caused my awkward squad to cock their ears. "Martin," said I to one, "that pantaloons of yours looks as if it were made in the Banlieue ; will you do me the favor to shew one of a more military cut next parade. Patouillet, your cartouche box resembles a letter-carrier's bag mightily, will you make a change, my boy, against next time." A few jibes of this kind distributed here and there provoked roars of laughter ; those at whose expense they

were made, took the hint, and a surprising improvement was the result.

Jerome's ambition being to produce a Model Company equal to De Puget's, or any other whom he had often seen run after by half Paris, he resolved, with *Oscar's* assistance, to invent a uniform. With his usual penchant for verdure the painter would have tacked green facings to the blue uniform; this, however, the Captain would not submit to, so he was obliged to fall back on yellow; however, to console his wounded feelings, he gave a green face to the figure which he drew for a model. The pantaloons had a yellow band, the shako a brass plate, and yellow tassel; the epaulettes were yellow, the buttons, ditto; and *Oscar*, if he but had his wish, would have introduced a yellow belt; however, this would have been too close a resemblance to the Gens d'Armes, and was scouted accordingly. A few rules were written out, one of which forbade the use of spectacles on duty, and another recommended moderation at the table to those whose fronts were not fashioned from the Apollo Belvidere. All were at last in the appointed trim, and were proceeding to the Tuilleries to be inspected by Marshal Lobau. As they marched through the streets their chief was rather dismayed at the effect of so many yellow spots and lines in his model troop. From the moment Lobau's eye fell on the tasteless ensemble, a frown took possession of his face; he said nothing, however, but tried them with some simple evolutions.

They were far from strong in the matter of manœuvres as yet, so they got in each other's way; the tail was searching for the head, and the line was formed with difficulty. These accidents did not improve the temper of the old warrior, and at a critical moment his wrath exploded. The entire second rank, at a change of front, scattered into empty space, and presented a frightful mass of confusion; the Marshal could contain himself no more, but shouted in a voice of thunder—"Porter, shut the gates of the Carousel, or these yellow-hammers will fly out."

To prevent such another humiliation, *Paturot* takes his troop every day for a month to the Plain of St. Denis. There they formed and fired, in line, in column, and in hollow square, and a wonderful improvement was apparent, until a little accident cooled their zeal. *Jerome*, like a prudent officer, kept out of the range of the muskets when the order to fire was given, but

his lieutenant, not observing this precaution, was transfixed, sideways, with a ramrod which had been inadvertently left in the barrel. As the missile merely broached a part of his system, called honorable by courtesy, he got off with four months' confinement to bed, but the Plain of St. Denis was forsaken from the date of that unlucky accident.

It is no easy matter to be a good shopkeeper, and an efficient captain of the National Guard, at once, and the hosiery trade would have suffered, as was stated above, but for the unremitting attention of *Jerome's* industrious helpmate; but even her evil star was now culminating in the shape of a magnificent *Russian Princess, Flibustofskoi* by name. She was a patroness of *Oscar's* omelet and celery landscapes, and he was ready to swear that she possessed, in her own right, 150 square versts of land, by the banks of the Don, on which vegetated 10,000 serfs, and 322,000 head of cattle, and exhaustless mines of gold were hers in the chains of the Ural. She contented herself at first with making cash purchases, and gossiping interminably in the shop, but after a while she secured *Malvina*, and carried her off, nolens volens, to the Italian opera. *Malvina* could not attend the great *Princess* on such occasions in ordinary costume. Silks, jewels, feathers, and other necessities, had to be procured at once; and she and her husband soon found themselves whirling in the vortex of extravagance and dissipation, visiting at the hotel of the *Princess* and wherever her influence was sufficient to open the saloons. They strove, by richness of dress and display, to save themselves from being considered as an *ouvrier* and *grisette* in their Sunday clothes; the counter was abandoned, and the care of the magazine fell to the chief clerk, who, of course, received a large additional salary.

The life of a man or woman of the world is incompatible with any other occupation. These fashionable ladies who are considered indolent by their acquaintance are obliged to exert an unparalleled activity and surprising powers of imagination, to perform properly the role they have voluntarily taken up. New fashions must be invented, rivalries of the toilette anticipated and foiled; triumphs gained and defeat avoided; an ever open eye kept on the modistes so prone to betray; on the espionage of the *soubrettes*, on the thousand little ruses employed by the reigning beauties against each other; in fine, they must understand thoroughly the stratagems of coquetry, not less complicated than the evolutions of an army. And yet the vulgar call these beings so exercised, "indolent women;" they are maligned sadly; of all chains those which we forge for our own wearing are the heaviest and hardest to be thrown off. * * * * *

Henceforth Malvina had scarcely time to give audience to the mantua-maker, the bonnet-maker, the jeweller, the milliner, and the shoe-maker; one part of the day was occupied in drives, and nearly all the night in attendance at balls and parties. I was soon overpowered; not so my wife. The poets may talk of woman as the weaker sex instead of the sex of iron,—who ever heard a woman cry quarter during the fatigues of a rout; and after they have been agitated, and knocked about, and wearied for ten consecutive hours, are they not as ready as ever to commence the same life next day? Weak sex indeed!

About this time the *Princess* invented a grand occupation for her dormant energies; she announced the overflowing of the Borysthenes; described the men and women climbing trees, and children carried off in their cradles, and with the concurrence of *Malvina* and others, opened a lottery and bazaar in which several articles manufactured, as was said, by the greatest ladies of Russia were sold at bazaar prices. *Malvina* disposed of, to an English Lord, a pair of suspenders for 150 francs—but what a pair! made by no meaner fingers than those of the Grand Duchess Olga!

The DROWNED of the Borysthenes became thus the private property and glory of *Princess Flibustofskoi* and her clique; Polish refugees and persecuted Italians, deprived of all but their stilettos, were obliged to veil their dishonored heads in presence of the new Humbug.

A long-haired artist being secured, promised, at 15 francs a head, to give a Mortuary Mass and the combat of the Horatii and Curiatii set to music, for the benefit of the drowned serfs; and, if required, he and his 672 performers would restore the Hymn of the Creation, lost since the era of the Deluge.

The Music Hall is filled, and the great man seated on his lofty stool; he casts an encouraging glance on his assistants, and loses not a particle of his courage or coolness, notwithstanding that his eyes, nose, and mouth are persecuted by his long matted hair at every shake of his head. Wicked, tangled hair, evidently sold over to the enemy!

But silence! the Festival has commenced. The first bray of the instruments would have overturned one of the old cities of Judea, but happily the hall was solidly built, and our lives were saved at the expense of our sense of hearing. The funeral Mass, in twelve parts, went off without accident; but it was in the combat of the Horatii that the power of music, to express every thing under the sun, was nobly displayed. Of the wonderful instances of this property of melody here is one. A musician going into a restaurant and

wishing for a fricandeau garnished with sorel, simply drew a flageolet from his pocket, and began to modulate a few bars, thus, "*Ta deri dera! ta deri dera!*" The intelligent waiter was not at a loss for a moment, but produced the refreshment required in the flourishing of a napkin, and in this way the power of genius seals the mouths of detractors.

And now the chief looks abroad from his uneasy throne with as much calmness as if the baleful mass of flowing hair was not bent on impeding his efforts. In proportion as he marked the measure with his ruling wand, the evil purposed, snaky foe wandered over his forehead and his eyes,—drowned him, blinded him, bedevilled him: no matter, the combat began. *Tehinn! Baoum! la la la la la!*

This, as every novice knows, presented the three warriors requesting the paternal benediction, right foot forward, and the three sword hilts on a line with the eye. A triolet now indicated the lament of the female assistants, but a blast of the organ, the firmness of the Roman Father: and then *Tra la ra la! la la ra! la ra la! pschh!* the champions are face to face, and lo! a minor sixth announces the death of one Knight, and the weak condition of another. The music distinctly personated the three Curiatii as yet fresh and unwounded; but in a little solo on the violin, the third Roman warrior quietly lets out the stratagem which is to save himself and Rome; *Tideri! tideri-deri! la la la la! boum!* At this point one only Roman Knight confronts the three foes; the trombones show the peril of Rome, and the opheicleides celebrate the triumph of the Sabines, not however, without an under murmur of the violoncellos seeming to say, "*He laughs the best who laughs the last.*"

The surviving hero develops his plot by the aid of the hautboys and the flutes, and any one may see by the *andante sostenuto* movement, that the idea is ripening, and that it is foolish to chaunt the victory before the battle is won: *Ti ta ra ta ta ta! ti ta ra ta ta ta!*

The stratagem is taking effect, both sides are deceived; the Sabines blow their joy on the keyed bugles, and the bassoons groan out the rage of the Romans; but all at once, at a blast of the clarionets, and a *da capo* unlooked for, the chance turns, and a Sabine falls; the drums beat, the trumpets flourish, and the fifes send forth the wailing shrieks of his family.

Hark to the fugue of the violins! a second Curiatius bites the dust; a few thrills of the flageolet compliment the Roman on his successful ruse; and nought is left for him now but to immolate the third victim to a volley of altos: general chorus of Romans, and general clang of instruments, and a cannon is fired in anticipation of the invention of gunpowder.

The hero of the evening is still on his throne, but overpowered by his emotions, and the persecution of his rebel locks; the melomaniacs of the salle rush forward to bear him in triumph to his chariot, and draw him home; but like a modest genius he steps out through a private door, assumes his mantle and galoshes, and goes to write an article on the piece with the same hand that had marked the score, and wielded the ruling baton: such are our modern great men, and so ended the Concert for the *Drowned* of the Borythenes.

Jerome and his wife being now regularly launched on the sea of fashionable life, the gentleman's chief care is about the varnish of his boots, and the lady's to dip her arm into the family chest in order to keep pace with her great acquaintance. In one of their earliest evenings abroad, *Jerome* remarked a fine dark-favored Cavalier, with a moustache and beard of the neatest pattern, advancing through the crowd of ladies and gentlemen, all showing the most marked interest in obtaining the least notice from him; however, he took very little heed of their emprossement, but calmly walked to the piano and deposited a roll of paper on it.

"Oh oh!" said I to myself, "this must be a prince of the blood at least;" and leaning towards an acquaintance, I begged him to enlighten me on the subject. "That," said he, "is the celebrated Trifolato, the King of the Plaintive Ballad: you'll hear him give such a specimen of Schubert just now as will cause the ladies' tears to flow." In effect the great artist pushed his accompanying slave to the music-stool, placed one hand on the Piano, so as to give himself an Antinöus pose of a melancholy order, passed his hand four times through his matted locks, gave an amorous roll of his eyes for the benefit of the hundred and forty-three ladies present, and then, to a sweet plaintive measure, he warbled out,

*"Tourment d'amour avait charmé ma vie,
Tourment d'amour va bientôt la finir."*

The most profound silence reigned in the saloon, and the gossip ceased as by magic. The voice possessed a perfect balance, and every note issued forth with admirable, distinct intonation. Acclamations, extasy and tears rewarded the artist who seemed little affected or flattered, but after three or four romances, rolled up his paper, and making a professional bow, vanished from the glittering scene. "Bravo Trifolato," was now cried out from all parts of the vast salon. "What modesty!" said I to my neighbour. "Oh," said he, "he must be at the Duchess of Mirasol's at 10 o'clock to gain another fifty crowns: with a brisk movement he can make four salons in the evening; total 600 francs." "Peste!" said I, "these are what you may call notes of value." Scarce had I spoken when another great man glided through the company. He was as well garnished with the bushy ornaments of the face as his predecessor: he was equally well furnished with a roll: he received the same attention and seemed to care as little about it as the other. "At any rate," said I, "this is a Duke and Peer." "It is the illustrious Muscardini," said my neighbour "the Prince of the Comic Ballad. You have listened to *Jean qui Pleure*; you will now hear *Jean qui Rit*: he possesses a peculiar grunt which makes the grandest ladies compromise their gentility by the most unmistakeably vulgar laughter. Muscardini approached the piano just as Trifolato did, assumed the same attitude, and indulged in the same amorous regards to the ladies, but at the last bar of the ritournelle he decomposed his features in a surprising mode, and burst out—

"*There we laughed, there we drank !*" et cetera. It was a Norman ballad, wanting for nothing, neither accent nor local spirit : you would have thought you were listening to a market gardener of the environs of Falaise. His success was tremendous ; he did not stop but went on from burlesque to burlesque, and at a specimen of Ventriloquism the applause was at its height ; but the evening's task being now finished, the illustrious Muscardini quickly disappeared.

I supposed that I should see no more of these great artists, but I was deceived : wherever we passed an evening abroad among our high connexions, there they were, and the performances did not vary in one note or one grimace from the first specimen : as if having got the exercise by rote, they deemed it a case of conscience not to make the slightest variation. In about a month I was so familiarized, that the moment Trifolato began to roll his languishing eyes, or Muscardini to unpack his mask, I made my way to the buffet or whist table.

One of the first thorns planted in *Jerome's* side came appropriately from a next door neighbour, a dealer in herbs, who envied him his success in trade. The demon of spite took such a hold on this man's heart that his days were spent standing at his door, and watching the customers as they entered and quitted the next shop. He could tell every thing connected with the affairs of the house, and the movements of the inmates, as well as if he sat at their hearth, invisible. A nice awning, invented by *Malvina* for the front of the shop, crowned his misery ; but he contrived to damage the fringes by festoons of thorny plants, which he strung on his own façade for that laudable purpose. His malice finally exploded in a summons served on *Jerome* to answer for loss of custom sustained by him, owing to a projection in front of the house of said *Jerome*, impeding the view of purchasers, and whereby such and such damages did accrue, &c. &c. &c. *Jerome*, not willing to have his name mentioned in connexion with a paltry affair of the kind, called on his opponent's advocate, and stated his readiness to make any reasonable compensation ; and the man of law seemed to think that his client ought to accede to these reasonable offers, and promised to use his influence towards that good end.

This was all moonshine. *Jerome*, in a day or two, receives a note from the advocate, mentioning the implacability of his client, (his own efforts notwithstanding) and the case comes to a hearing ; the plaintiff being one of those bilious creatures who enjoy a law process by way of relaxation, and special pleading as a healthy regimen. These folk use a run to the law courts after breakfast, as something essential to good digestion, and

if there is no adverse party to keep their litigant functions in health, they fall into a species of hypochondria.

The opposite counsel opened his case modestly enough, and used a moderate tone at first, merely shewing the necessity of supporting the weak against the oppressions of the strong. He observed that it was the proud boast of the magistracy, that in its presence all ranks were equal; and beginning at an early period in history, he showed this to be a general rule with that body, whether they were entitled archons, senators, mussulman cadis, or christian justices of the peace; and that no man, not even a dealer in herbs, should be debarred from this inalienable right of just protection. "Besides," as he observed, "the profession of herborist though humble is honorable; it remounts to the era of Pliny the Elder, who lost his life in gathering a rhododendron in the crater of Vesuvius; Linnæus was a herbalist, so was the great Averröes, and so were two Patriots who perished at the barricades of July." Hitherto all was within correct bounds; the advocate was strictly performing his devoir to his client; little did I foresee the hail storm he was preparing to rattle on my devoted head. At a given moment this man, hitherto so polite and self restrained, turned the full wrath of an inflamed countenance on me, and thus gave vent to the fury within.

"And who are you who thus oppress us? you to whom we may say as an erewhile philosopher once said to an Asiatic (sic) prince, 'Come from between us and the sun.'

"Yes! who are you that dare to take from the poor man the bread earned by the sweat of his herbs? Who are you, I say? You are a Paturot; don't be frightened; I'll spare you; expect every thing from my moderation and indulgence. I'll not insinuate what means you used to secure a command in the National Guard, nor the doubtful sort of life, to say no worse, which you led in your youth; nor the shifts you have resorted to in your commercial speculations. No, no, I'll handle you tenderly, Paturot; I will; even you who show so little regard to the feelings of others. I will omit the disgrace cast on your peaceful neighbourhood by the irregularity of your household; the loss of business to your honest neighbours, from the equipages blocking up the street; the loss of their natural rest from the late noisy returns of yourself and family. Of all this, which should be in my brief, I will not say a word. Yet now, Monsieur, owing to the disorderly conduct of you and yours, the borage suffers, the scammony laments, the foxglove loses its virtue, the violet fades, the salop and the sago are hastening to ruin irreparable. Four thousand francs for this, Monsieur Paturot; but it is not a centime for each species of plant. Monsieur Paturot, Monsieur Paturot," he cried out, his eyes glowing with rage, "allow me to set you in presence of your conscience, if you have got such a thing as a conscience about you, and if it is not, as Horace describes it, guarded with *robur et æs triplex*, that is to say, a deceitful triple cotton pad,—let me urge you to repair to the whole tribe of simples, the wrongs you have done them, the poor beneficent simples, whose good qualities you must have felt in the form of unctuous liniments, and health-imparting emulsions."

I am a pacific and patient man ; I can restrain my passion, or fight if need be ; but I would at this moment have planted, with the greatest satisfaction, a downright buffet on the ear of this *Histrion*, who was amusing the court at my expense. This proceeding is the rule, not the exception among his profession, as I have since found on different occasions ; and if the privileges of the Bar cannot be maintained but by indulgence in scurrility and invective, fit only for the region of the fish market, the world would be nothing the worse for their abolition.

The man of herbs took nothing but a fresh dose of rage by his motion. *Jerome* still holds out the olive branch, but to no purpose, so he thinks it better to remove from the neighbourhood ; and taking a house in a more fashionable quarter, he is introduced to a long-haired architect, who will not allow him to be content with anything less than a grand gothic building within and without, and will no more admit a line, or curve, or proportion of the classic or Palladian, or Byzantine styles, than the great Mr. Ruskin himself. He was not born to be a slave of the Doric or Corinthian, not he ! he looked on the Madeleine as a monstrous coffin, ornamented in bad taste, on the Pantheon as a Savoy biscuit, and on the façade of the Louvre as a row of nice little niches for Marionettes.

He proposes to *Jerome's* choice, either the pointed gothic, with its trefoil heads, its arch of the purest era, its slender octagonal tourelles, and its roses of the most correct epoch ; or the later styles in which the prismatic takes precedence of the rounded forms, where flame-points ornament the compartments, and the profusion of detail runs to excess.

Jerome being reasonably ignorant in the matter, hesitates as to a choice, and the artist, judging from his backwardness that he prefers some other style, pours out a full measure of abuse on the Roman form with its arcades resting on semicircles, on horse shoes, or on the handles of baskets, and where the doors though semicircular are charged with zig zags, rope twists, or stars. Then the Lombard style came in for a portion of his wrath, and he finally gave full vent to his contempt for Acanthus leaves, fluted columns, pilasters and tympanums.

Would he debase his Indian ink to the depicting of such exploded follies ? not he ; they might be well enough for the tribe of masons and plaisterers, and other brainless plodders. Finding that *Jerome's* hesitation arose from igno-

rance rather than a superstitious preference for any style of architecture in particular, he cools and explains his plan. If the Government would allow, he was prepared to have a projecting tower, but at all events there should be loop-holes, whence pellets might be blown out of sarbacanes at the little thieves or gamins who might attempt to pilfer or cause any annoyance.

To the respectable heads of our Monster Houses we submit our moyen age architect's idea of the proper decorations of the interior of a "soft goods" emporium.

Imprimis, and absolutely necessary, a waiting-hall, where you deposit your surcoat and your halberd, the walls decorated with trophies of arms, stags' antlers, &c.: then the refectory and the great kitchen, with drinking glasses, dead game, &c., sculptured in the wainscot, and finally the great hall, covered with arras tapestry, and Venetian mirrors. Stained glass windows should not be forgotten, nor should the happy proprietor fail to procure some of the pottery work of Bernard de Pallissy, and a few cups, shields, and dishes executed by Benvenuto Cellini. Then the *Bahut*, or old family chest, must on no account be omitted; a mansion, moyen age, without this receptacle for the family linen, plate, records, &c., would be a vile piece of absurdity; and, indeed, our poor hero shewed no lack of folly just then in giving way to such a project, forced on him by the spite of his neighbour, by *Oscar's* sympathy with the views of the confounded Architect, and by *Malvina's* taste for display.

To help the flight of his money, his great patroness, the *Princess Flibustofskoi* has incurred the displeasure of the Czar by shewing such a penchant for a mere French Bourgeois; and laid his knavish sheers to the backs of her 322,000 harmless sheep, sold the wool in the shabbiest possible style, and confiscated the proceeds to his own vile uses. The *Princess* thus robbed of her property, is found in tears in her boudoir, while the Calmuc appointed by Nicholas to watch all her proceedings, *Count Tapanowitch*, glares on her friend as he is entering to comfort her in her affliction. The *Princess's* revenue being now a case of lost mutton, our gallant hosier opens his purse, but she will only accept a temporary loan. So between this speculation, and his patronage of high mediæval art, and his military occupations, and new style of life, and neglect of his shop,

the pile of money in his chest begins to decrease at a very alarming rate; and what was worse, his attention towards the wife of his bosom, owing to his great *Russian Princess*, ceased to be that of a model husband.

He is appointed Chief of Battalion about this time, is brought under the notice of the Court, becomes outrageously loyal, and is urged by a friend in the Ministry to stand as candidate for a mountainous district in Auvergne, where a few of his family have possessions: here is a specimen of his political zeal.

I could not keep within ordinary measures in politics. When I heard of the conduct of any of the factions of the day, my eyes darted flames: when the reigning dynasty was in question, they were at once suffused with tears. I was cited as the most devoted Chief of Battalion in the service, and various saloons resounded to my denunciations of the Press. "What is it that cherishes in the bosom of society that state of trouble and confusion which eats away its vitals? the Press. What prevents us from taking the Rhine as the natural boundary of our country? the Press: yes, the Press, by ever keeping the fears of the absolute sovereigns awake. What occasions the annual overflow of our streams and rivers? the Press, by throwing cold water on the care of our material interests, and discouraging the making of dykes. Who is the sworn enemy of our national industry? the Press, by encouraging the introduction of foreign manufactures." This was the theme on which I dilated, and in my happy moments I even soared into the region of eloquence thus:—

"We speak of the ten plagues of Egypt. France is cursed with one only, that of journalism. But for the newspapers our beautiful land would not be afflicted with poverty, colics, ementes, or diseases of the lungs. The first three pages of a journal are the cause of our social troubles; the fourth is the origin of our bodily ills: Revolutions are recommended for one, and quack remedies for the other; empiricism reigns over all, and our social evils are as far from being healed, as our corns from being effectually extracted."

Tirades of this class having endeared our hero to the ruling powers, he receives encouragement, and in order to qualify himself for a seat, he purchases the old castle of Valombrosa with its few depending acres, and is now, in consequence, *Paturot de Valombrosa*. The inhabitants of this district having been represented for some years by a member in the opposition, very little ministerial sunshine has warmed its rocks or valleys; but as it is now to be given (if *Jerome* succeeds) to a friend of Government, great hopes are held out of public works to be executed, bureaus for the sale of snuff to be established, churches and steeples to be repaired; and the member in petto carries down altar pieces, statues, scientific treatises,

patent medicines, surgical instruments, patterns of sheep-folds, Ruskinian and otherwise, and (by Oscar's advice) models of life boats, which were considered particularly useful and desirable in this hilly canton, 6000 feet at least, above high water mark. He is urgent with the various officers of the administration, for some present solid gifts, but finds that the places and benefices applied for are already disposed of; however, he obtains promises of four bridges at certain points, six others wherever he likes to place them, three roads, one canal, two railroads, three public monuments, a regiment of horse, a college, a few mines, one bishop, fifteen steeples, four churches, and befitting vestments and utensils for the clergy. Furthermore, he takes down, at *Oscar's* instance, four waggons filled with delicacies for the table, solid and fluid; and *Malvina* provides herself with lures for the voters' wives and daughters, among which, articles of feminine wear, of lively primitive colors, are not forgotten.

The chateau of Valombrosa was situated at a short distance from the chief town, in one of the undulations formed in the mountain chain; a semi-circular grassy slope spread in front of the house, and a sweep of old sombre chestnut trees served at once for a boundary and a shelter from the winds. The depth of color, and richness of the verdure at these heights is well known, and never had Oscar found, even on his own palette, tones of green of such strength. The foliage preserves through the greater part of the year a metallic splendor, and in beholding it standing out from the clear transparent sky, you would fancy yourself gazing on some enchantingly painted scene at the theatre. To the forest succeeded the meadows, where the verdant carpet spread down the slopes, till the herbage at last touched the cold wavelets of the stream. My demesne thus consisted of wood and pasture land; here and there were patches of wheat, rye, and barley; and the cattle grazing at will, added life to the landscape, without detracting from its character of peaceful quietude.

All my family were in raptures at the sight of this picturesque locality. Having never been out of the city in our lives, our lungs, for the first time, inhaled the pure air peculiar to elevated regions, and we seemed to breathe more freely. *Malvina* fancied herself bathing in the healthful limpid atmosphere; throwing aside her bonnet, she ran about in the woods and carolled like the birds on the trees around her; and the children rolled along on the meadows, or frisked by the sides of the lambs as playful as themselves. I had come to conduct a political intrigue, but began with finding myself one of the personages of a pastoral. To confess the truth, the aspect of the sweet face of nature on every side filled my heart with a new train of thoughts. These lofty heights crowned with firs, these chains of mountains melting like vapours into the horizon, and

losing themselves in the misty, far off background, seemed a silent reproach to the miserable, feverish, petty turmoils of men ; and the little valley full of sweet scents, and pleasing sounds drew my thoughts off from their ambitious workings, and disposed them to domestic, rural enjoyment. For three days I forgot my political existence, and led the life of a farmer. I inspected my woods and fields, and went from farm to farm, from meadow to meadow. The chateau, lately repaired, was comfortable ; and already I planned changes and additions, and enjoyed the delight of my new power, and seignory.

Our candidate secures a majority among the townspeople, and the Government officials, but the rustic population hold out pretty well for the independent members. Accompanied by a few influential persons, he visits *Gerard*, an old farmer, who can command ten or twelve votes at least. He finds him at dinner, but to all the eloquent appeals made to him on every hand, he can only afford to grunt out, "Aye ; to be sure, indeed," he is so occupied with a troublesome knuckle bone of veal. *Oscar* coming to the rescue, drinks to the health of the Emperor, and is glad to see a sign of awakening interest on his meaningless face. He plies him on this point, and whispers that *Paturot* was Aide de-Camp to Napoleon, and is all covered with wounds received in defending his life, and has money without end, bequeathed to him for the behoof of those who still continue faithful to the memory of the Hero of Austerlitz. On the morning of the Election day, all the country voters are brought in hired vehicles to the chateau, and feasted like the sons of kings. *Oscar* does his best to fuddle his old intended victim, but he is like to lose his own balance instead. He sets about to bray, to hinny, to crow, to miaow, to bark, to croak ; he makes his voice issue from the ceiling, the chimney, and from under the chair of *Father Gerard*, and enchants his rustic audience. All being well primed are then led to the hall of scrutiny, and though the astute peasant *Gerard* and his ten friends go over to the enemy's camp, the day remains with our hero, and *Oscar* is in extacies though feeling considerable chagrin at having caught such a tartar as *Father Gerard*. All are brought back to the castle, the defaulters excepted, and another assault of eight hours is made on the provisions, and at dawn next day the sleeping heroes are picked from under the tables, carefully ticketed and labelled, and placed in carts for transportation to their respective homes. It took three days to remove the traces left by these Children of Nature (so named by the poetic *Oscar*,) in and about the cha-

teau. *Paturot* has no objection to their being called by this romantic name, but is content that their great mother should, for the future, be at the trouble of providing their food and drink.

Jerome, now a full fledged Deputy, feels his consequence augmented tremendously. He, a simple perfectioner of maillots for the Goddesses of the Opera, and at the same time a *decoré*, a deputy, a favorite of a great *Russian Princess*, and a chef de Bataillon. Oh, but the responsibility; to have the eyes of Europe fixed on him, to find his slightest word or gesture criticised, to be brought over the coals by France, to be hissed by Europe entire; what a contingency, and what a course of study must now be commenced!

In divers saloons of Paris I often heard mention of a certain *Eastern Question* which seemed to occupy the thoughts of all men; and here was I now called on to solve this confounded enigma: the destiny of the East might perhaps depend on my voice. I owe it to myself to say that I had not the slightest personal repugnance to the East; I was, on the contrary, well disposed in its favor. The East is a region worthy of our respect: from it we get Adrianople wool; we are indebted to it both for the sun's light and for Cashmere shawls; I would have been consequently sorry to offer it any offence; rather let me rest on good and amicable terms with it. Notwithstanding these good dispositions, I am still so much in the dark on the subject, that I often ask myself in a fright, if I have entertained towards this cardinal point all the good dispositions it merits: if I have not unthinkingly trespassed on its privileges; if I have not made it a relentless enemy. May THE EAST pardon me these involuntary offences: we were made to understand each other; unhappily I never could get through my part, and I can now only offer my humble apologies.

At the proper time and place the new Deputy, with his right hand raised, pronounces, the sacramental, "*Je le jure*," in the most imposing, solemn, and impressive manner possible. He thinks it made a certain impression on the King, at all events it brought a smile on the faces of the Princes. One of the regular ministerial whippers-in takes him under his protection to teach him the duties devolving on every well wisher to law and order, the chief being not to dare to exercise his judgment on the merits of a question, but to go for the ministerial vote, rostris, et unguibus; this, or becoming a brawling opponent of Government for the purpose of being bought off, seeming to be the only two courses to be adopted by any man of sense. *Jerome de Valombrosa* now finds that his dignity is to be separated from the ease which accompanies it, in the Latin motto. Letters from his

arrondissement pour on him like hail; every civil functionary wishes for the next higher post; all would be glad of exemption from taxes, and from the conscription of their sons, as well as the gift of a decent pension for their own old age: and one person having invented an infallible cure for fever must get a salary from Government. A contrabandist wishes to be recompensed for all the persecution inflicted on him by the King's officers in the alleged discharge of their duties, and be allowed interest beside. In short *Jerome* has become the man of business for the whole district, the advocate of desperate cases, and the doctor of incurable diseases. A letter received from a certain notary, who had helped to secure his election, is a fair specimen of the correspondence.

Mon cher Député—Allow one of your best wishers to recal himself to your recollection. You know what interest he takes in every thing that concerns you. We often speak of you here, but the arrondissement must be kept well breathed, otherwise it will slip through your fingers: by good luck we are on the spot to watch your interests. I have a little request or so to make, merely as a token of the affection I bear to you. First of all you will have to get the registry director dismissed. He looks too close at matters connected with my fees; he is injuring the Government as well as interfering with my lawful perquisites; and his successor when he knows what lost him his place, will maintain a good understanding with a certain devoted friend of yours. I expect that the President of the court may get a lesson also. He taxes our costs too rigidly, and allows not a sous beyond the mere legal dues: it is an intolerable piece of shabbiness. Promote him if you chose, but send him hence at all events: my brother the judge will sacrifice himself if necessary, and accept the presidency. You recollect a cousin of my wife who managed the conveying of the voters at our Election: he wishes to be a tax collector, it is the very least we can do for him. This is the time to settle our children. I intend to send Alfred, the eldest, to Paris to gain admission to the Polytechnic by your kind influence. You know what young people are when, away from the paternal eye, and my wife would never consent to be separated from her Benjamin, only for knowing that he will find second parents in Madame Paturot and yourself; indeed if you can allow him a little chamber any where under your own roof, his mother will have a care the less. My younger son Jules will be satisfied with a Bourse in one of the colleges: he will do you honor some day, being affectionate, retiring and clever. Alfred is, on the contrary, all fire and life, you'll be delighted with him; his lively disposition comes to him from the mother's side. At your leisure you may think of our nephew Antoine and our Aunt Croquet; one is ready for his bureau de tabac, and the other for her post office. They invoke blessings on your head every hour; you are their patron, their providence; your name is constantly in

their mouths ; it is impossible that you should forget such grateful creatures who never cease to think on you.

As for myself, *mon cher député*, I only ask for your continued friendship. I am here standing in the breach to defend you against a world in arms. No self-interest in this I am sure. You are the man of the country, you are the country itself in fact ; this is the cause of my devotion. All true Frenchmen have the same device, 'Our country before everything.'

Agreez, &c. &c. &c.

P.S. Mme. B. requests to be kindly remembered to Mme. Paturot, whose abode in our mountains has left such agreeable souvenirs. Winter approaches. My wife has become so Parisian in her tastes since Mme. Paturot spoiled her, that she cannot endure the milliner and dressmaker of our town. If your lady can find leisure to send down two bonnets, two gowns, the one merino, the other silk, two pair of buskins, and twelve pair of gloves, assorted, she will bind Mme. B. to her for ever. By the earliest opportunity, I will forward the necessary measures, and patterns ; but as to the choice of material, color, &c., my little woman trusts implicitly to the taste of Mme. Paturot ; from her decision there shall be no appeal. Excuse me, dear sir, for taking up your valuable time with matters so very unparliamentary.

P.S. No. 2. I open my letter to give you a little more trouble. At the period of your sojourn here I took notice that you wore varnished boots of the very finest style. That sort of article is unknown in our latitude, where foxy-looking leather, and polish of the egg-cum-lampblack genus still holds sway. I intend to introduce the new system : my brilliant boots will inspire my clients with awe unfelt before. Have the goodness to send me two pair of the size and make of the pattern now forwarded ; they shall be called by your name, as nothing that can continue your popularity must be omitted. Please bear in mind that I am high in the instep.

P.S. No. 3. I open once more to remind you that your constituents expect to be shortly gratified by the perusal of your powerful maiden speech.

A vous. derechef. B.

Another of the amenities of *Paturot's* parliamentary life was the early race, with one latchet of the shoe (metaphorically) untied, like a Roman client of the days of Cicero, from one ministerial bureau to another, to beg for places, or privileges, or situations, for his country applicants ; and it was curious that in almost every instance, some one had got the privilege or place the day before, or the week just past ; but by way of comfort, the deputy would be punctually informed of the next vacancy.

Till these vacancies should occur, the least he could do was to return evasive and comforting answers to the distant place hunters. One of the clerks was trained into this department,

and very few petitioners were disappointed,—of answers at all events.

But a greater misery awaited me from time to time. A voter sometimes came down from his hills, brought his family along with him, and made a descent on the capital. Oh terrible apparition! Oh dreadful nightmare! At six o'clock in the morning, father, mother, and daughter were relieving each other at the bell rope; Provincials, confound them, are such early risers. Then was I roused from my two hours' slumber, and putting on my morning gown, and rubbing my eyes, I reeled into the drawing-room, to give a gracious welcome to my visitors, instead of bequeathing them to the care of Pluto, Cerberus, Charon, Minos, and the other inhabitants of Hades. "Hold! is it really you, Father Michonneau! you at Paris! how kind to think of coming to see me." "O faith, that we did without loss of time, we know our duty, ask Madame Michonneau there." "Oh, as to duty and respect and that, no one can find fault with my good man," added Mme. Michonneau. So I was in for my two hours' task of listening to the cause of the journey, the savings made by keeping their eyes open, the settling of the young lady at school, and the other weighty reasons which suffice to rout a country dweller out of his rural fastness. To see Paris thoroughly, especially every gratuitous exhibition, is to the Provincial a case of conscience, and if any lion happens to be overlooked the Deputy is sure to be blamed. He is expected to make bolts and bars give way at the Royal Chateaux, the royal parks, the museums, the exhibitions, aye, even the theatres. On these occasions Mme. Paturot took charge of the women; and ah! what deplorable fashions of dress did these ladies bring from their wilds, and what bursts of ill suppressed laughter did they not occasion among the apprentices of the milliners, to whose shops Malvina guided them. The mistresses themselves could scarcely restrain their merriment, and by way of climax to my wife's mortification, they went out and returned twenty times for an abatement of two francs in the price of an article.

When the Michonneaus took dinner with us, they coolly put biscuits and fruit in their pockets, for the next morning's déjeuner. If they met in their rounds anything antiquated or ridiculous in cut or style, they were sure to make a point of buying it, and not besatisfied till it was in their possession.

Sometimes I was tranquil on my bench at the Chamber, glad to escape for two hours from the tyranny of my patrons, and kept in a delightful state of reverie, by some sleepy, written, speech, when all at once I would be aroused by the voice of an usher at my ear, "Monsieur Paturot is wanted in the hall." Needs must, I was obliged to come out, and what did I find? a legion of Michonneaus! three generations of Michonneaus!! and for this countless tribe I was obliged to provide seats in the chamber, to hear the orations; at the trouble of going from one office to another, and disarranging the entire machinery of the order of the Chamber. Once ensconced in their pews, they soon enlarged their sitting-room by dint of knee, and elbow, and mountain pertinacity, so that they might chatter at their ease.

Then began another infliction—Madame Michonneau, gifted with the sight of a lynx, soon singled me out, and with eyes and hands, and gestures, seemed eager to open a communication with me. Even at that distance I fancied I could hear her, “Eh husband, do you see our Deputy? Look, he is at this side, in the corner, the fourth on the left hand: (then aloud) good day, M. Paturot, good day.” “Where the deuce, do you see him, Madame Michonneau?” (I knew by instinct that this conversation was passing.) “Are you blind, my good man! there, to be sure, with the blue frock and chestnut hair, speaking with that other ramrod of a Deputy, (then getting up) your servant, M. Paturot.” This operation endured the whole sitting; the entire family came there, as it seemed, merely to enjoy the sight of their Deputy; and Madame Michonneau seemed determined to commit me in the sight of the whole assembly: so pointed were the gestures of hands, and face, and so prodigal was she of little signs of familiarity, that, in self-defence I leaned my elbow on my desk, and, turning my back to the enemy, resigned myself to a state of perfect immobility. The clan then commenced to listen to the speech and yawn, and eat some of the morning’s plunder, and Father Michonneau began gradually to lose his pristine awe of the majesty of the occupier of the Tribune. He took care to accost me when coming out with, “and why does not our Deputy get up there, and gabble like the others? that would make a noise at home.”

Always the same reproach! “why does not our Representative make a speech?” It is often wondered, why such and such members get into the tribune, and lay themselves open to the jibes of the reporters. Alas! they go up in fear and trembling, and under the goading of their constituents, especially if the member of a neighbouring arrondissement makes a figure: then is our member an ass, an idler, or one sold over to the enemy, and his only resource is the dreaded attempt at an oration.

Paturot shivers at the thought of the ordeal: he fears that he will lose his self-possession after climbing the awful marble steps, and finding himself the centre of the eyes and minds of a numerous assembly. He also fears that, becoming confused, and attempting to improvise, absurdities will be as likely to pour from his lips as things worth listening to.—Confidence in your own powers, and contempt for the qualifications of your auditory, being the chief ingredients of success, he dreads the experiment, as he has no pretension to either of these gifts.

At last, finding himself as it were, between the devil and the deep sea, he determines that he will pass the Rubicon, and from the moment of taking this resolution, adieu to sleep. He lay awake fancying himself in the Tribune, striving with meaningless words and incoherent phrases: he searched for the sonorous adjective, the resounding substantive,—he polished the peroration, he perfected the exordium. This state of sleep-

lessness and nightmare gave him frightful cramps in the legs, and he thence takes occasion to bewail the lot of the bedfellows of renowned orators.

"What in the world ails you?" said Malvina "you are wriggling and twisting like a Melun eel." "I am improvising, my dear, improvising. Oh what a delicious sentence I have just secured; shall I repeat it to you?" "I'd be well employed listening, at 3 o'clock in the morning." "Ah, my duck, eloquence is not confined to hours: for twenty minutes I have been crushing the faction with the hammers of my rhetoric." "So you have—in your dreams; I'll find the marks on my legs in the morning." "All inspiration, my pigeon: I will pulverize the Press, this plague of plagues, this Hydra: listen." "No, no, I'll get up." "Hear what I was saying to this leper which they call a Journal: I soared to the highest point of eloquent sublimity. Messieurs, I take possession of the Tribune to protest against the boundless license of the Press. Were I to perish on the scaffold, I will raise my voice against these scribblers who"—"Jerome, Jerome, you're taking advantage of your position." "Wait for a bit, my darling: I'll give them such a cudgelling as will astonish them.—These scribblers who respect nothing, who voluntarily assume the position of outlaws, who"—"Jerome, do you intend to put me in a passion?" "A little patience, my dear, you will now see the arrow launched to inflict a mortal wound.—These scribblers who"—"You'll have it I see—now mind yourself, Mr Paturot." * * * *

After this specimen of a French *Mrs. Caudle*, *Paturot* describes his attempts at eloquence, and thus paints one of his models—Berryer:—

To make myself a proficient in the oratorical art, I had then in the chamber under my eyes, a number of first-rate models: which should I follow? that was the question. My first great man wore a blue coat fastened to the very chin with steel buttons: at a distance it would resemble a cuirass covering a well developed chest. The character of the head was fine, the eye lively and full, the features regular, the lip slightly sardonical, the forehead vast, and the head bald. You could perceive in the ensemble, real power, feeling, warmth, in a word, all the qualities of the artist. He was, in effect, a great artist, more enthusiastic than self-convinced, more ardent than reflective, and delighting, for sake of the very difficulty, to move about in a labyrinth without visible issue. Speech more beautiful or more complete than his, could not be heard, nothing more sonorous or more full than the quality of the tone: the dignity of his gestures, and the pride of his look conferred on these exterior advantages a resistless, seductive, influence. In his happy days no orator could guard his convictions with the charm of so many combined attractions. But this success rarely attended him beyond the tribune; having listened to the delivery of the speech, you should not spoil the impression by looking at it in type. The lava once cooled, lost its proper quality of glitter and movement; in the evening you admired the torrent in fusion; next morning you could not help remarking the scories. There was much vagueness in the

idea under all the pomp of the expression ; a dialectic more brilliant than solid ; meagre arguments under flowing robes ; a rare skill in throwing uncertainty into a question, but no power to arrive at a just conclusion. These were the features of his oratorical powers, the most finished, and, at the same time, the most incomplete of any exhibited in the modern school. He figured there as one of the first masters of the art, and though on opposite sides, I must allow him his full claim to his position.

The following is a sketch of Odillon Barrot :—

Near him, but with a heavier appearance by far, sat a tribune who made too much use of his eye-glass in filling up pauses, and keeping himself in countenance. He also wore a coat buttoned to the chin, a circumstance seemingly inseparable from the outer man of orators. A forehead lofty and projecting, the eye surmounted by a bushy eyebrow, the forepart of the cranium nearly bald, a countenance deficient neither in dignity nor character ; these were the characteristic traits of my second master in art. When compared with the former chief, his method had not the same power or grandeur ; it was heavy, and the diction was devoid of elegance and ease ; the expression was just but languid, and not always well chosen, and the grace was in an inverse ratio to the solidity. These defects were recompensed by the possession of many sterling qualities ; under the rough bark you could not fail to be aware of a fund of rectitude, and an accent of the most honest self-conviction ; his ideas made their way to the minds of his auditors with some embarrassment ; still they were found logically dependent on each other, evolved in a certain order, and clothed in a sober garb too much neglected in this day. In these conditions, the orator creditably represented a party which relied more on sound principle than on charm of elocution. I was not of this party, but was ever ready to recognise the uprightness of its views, and the sincerity of its convictions.

We next have Lamartine :—

These two persons having been considered, I was approaching my object. This was the early time of a talent the most dithyrambic that ever invaded any rostrum, premising that I wish this epithet to be taken in its best sense. Plato excluded all poets from his Republic, without seeming to suspect that thereby he banished himself as poet, ay, and one of the greatest of antiquity. He who aspires to the perfect is a poet, for what is poetry but an ideal of perfection, wrought from the combination and abstraction of imperfect things. One can then be a great poet and a great orator, there is no intrinsic inconsistency. Nothing could be more noble or felicitous than the cut of the features, the carriage, and the pose of the lyric and chivalric orator of whom I speak. These exterior advantages count for something in the success of a speaker, they prepare and perfect it, and when purity of accent and enunciation, grace and moderation of gesture, and sparkling play of feature are added, the elocution, with little effort, seizes on and enchains the hearers. This was the case with the poet-orator : but he did not feel it the less necessary to display all the magnificence of his style,

and bring to his aid a prose, colored with as much care as the most perfect poetry. At this epoch his views soared beyond the Chamber, and he frequently overshot the mark, and was soon obliged to regulate his strength, to moderate the spring of his powers, and bring both his thoughts and their dress to the level of the capacity of his hearers. This superabundance of power, is however, a defect readily pardoned; it is far easier criticized than attained.

The next is Guizot :—

And now for the contrast; close to this enchanter who held in his hand the golden branch of poetry ever renewing its leaves, see the dogmatic teacher who sacrifices to concision, I might almost say dryness, inexhaustible abundance of images: the well-filled, and compact, and involved period are succeeded by short and square-cut phrases, and a dialectic, sober and magisterial. All was done by weight and measure, all went on by learned, sharp, and unerring demonstrations. His oratorical baton resembled mightily the ferule of the schoolmaster; the request took the air of an injunction, the very prayer resembled a remonstrance. This plan is occasionally successful; assemblies seldom rebel when they are ruled by an intellect of this kind, particularly if the physical and mental powers of the leader correspond, and better still, if the eye be calm and austere, the outline of the countenance angular, and the voice distinct and commanding.

Now we have Thiers :—

Nothing is more sure of success than a will which requires implicit obedience, and will not brook discussion; and if this self-will is found united with some felicity of expression, it is rare that large assemblies resist the combination. Dogmatic eloquence is the surest in effect, the easiest in practice. It is seldom that we cannot inspire others with our own self-confidence, particularly if this confidence is frequently exhibited and never seen to waver. Still, success in this line was not to be thought of by me; my instincts directed me elsewhere. Another orator of the first class flourished in the Chamber, and he was destined to be my model. I never could sufficiently admire the rapid triumph he had obtained. To acquire a high parliamentary position, he had had to contend with obstacles of every kind, in his voice, in his size, and in a very unprepossessing exterior. The members who ordinarily ruled the house, had every advantage over him in these respects. It was necessary to compensate for them by dexterity of speech, fecundity of resources, and versatility of talent. This was my idol, the master of my choice: every time he mounted the marble steps I became self-recollected as one going to receive a lesson. To do him justice he was no niggard of his time, and I had ample leisure to imbue myself with his manner and peculiar method. What particularly pleased me in his procedure was, that he began with his subject in its cradle, and never quitted it till it was entombed, or otherwise exhausted. He always took for granted (and God knows with what justice!) that the Assembly was ignorant of the very first principles of things; this showed a deep insight into human nature. Thanks to him I was very near comprehend-

ing the Eastern question ; he was my star in the darkness : through his instructions I learned that there stands on the Bosphorus, a city called Constantinople, and that the Turks form the majority of the population. Now this, it must be owned, was a fact very essential to be known at the outset ; with some further efforts, I might have obtained a notion of Syria and Egypt, famous countries in days of old. Alas ! time was wanting to complete my parliamentary and historical education. Still nothing can efface the impressions left on my memory by an eloquence the most spirited, the most alert, and the most profuse of any of our orators ; how can I forget his ingenious style of explanation and narrative, the ductility and elegance of his language, or his historic erudition, which never seemed at a loss, or unable to furnish parallels or illustrations.

Jerome having selected his model, sets to work by laying in a store of parliamentary phrases in fashion at the time, for his great speech on the subject of allowing cheese into the country, duty free, this question interesting his mountain constituency in a very sensible manner. He gets the speech by heart, but is careful to have the manuscript in his pocket when ascending into the tribune.

A glass of water was at my right hand ; I drank it off mechanically, and endeavouring to steady my voice, I began. "Messieurs," said I, "permit me to address my country on a subject which deeply interests her, I speak of cheeses." At this unlucky word, a roar of laughter burst from the whole assembly. Ministers, journalists, even the very ushers, took part in the general hilarity. It was a very decided hit, so I attempted to continue, but found it impossible ; the explosions of mirth drowned my voice, and some uncomplimentary jokes began to circulate. Tired at last, I descended, but carried my precious manuscript to the office of the *Moniteur*, where it figured in five large columns next day, interspersed with *cheers*, *applause*, and *hears*. My constituents lost the cause, but I obtained in their eyes a complete success, and thus I won my field of Austerlitz.

But poor *Paturet* has been very fortunate hitherto, gaining distinctions and advantages which precipitate his downfall. His ill adapted and expensive mediæval establishment, his parliamentary engagements, his attention to his military duties, the knavery of a head clerk, to whom the care of his neglected business was entrusted, and his loans to his great *Russian Princess*, all unite their evil influence, and our hero, instead of finding his *caisse* well filled, is obliged to borrow. He speculates in the funds, and buys an enormous amount of stock on one occasion, from seeing by chance an open letter on the table of an influential person to whom he had paid an early visit. This unlucky note bearing a date six months old, unperceived by our victim, he is ruined if the *Princess* cannot refund. She disappears, and is

heard of some years later as mistress of a café on the banks of the Neva, and *Field Marshal Tapanowitch* condescends to look after the spoons. A benevolent money lender comes now, *sic ut Deus ex machina*, with 22,000 francs, and will not hear of interest: he merely takes a mortgage, or some French instrument similar thereto; and all would be very well, but that he can command no more ready cash, for the moment, than 6,000 francs. However he conducts *Jerome* into his extensive store, and there our hero is left at entire liberty to make up the deficit with curious bird cages, pipe shanks, otter-skin caps, boxes of wafers, cases of puppets, tooth-picks in hard wood of the Pacific, galvanised mouse-traps, paint-brushes, accordions, and spicy pictures. Our borrower must be difficult to please if he could not make a selection from these valuables, but in spite of this piece of good fortune, our political man of business that should never have soared beyond the province of the sonnet or feuilleton, is cast into prison, and passes through the court of bankruptcy; and here he observes, *en passant*, that he cannot see the wisdom of a creditor throwing his slave into prison, and thereby rendering any payment impossible. Poor *Malvina*, awaking from her feverish dream of high life, is once again the devoted and affectionate wife; and that we may not leave the reader with sore feelings for the sorrowful lot of the misguided but worthy pair, we are happy to say that some government appointment, of a moderate salary, is procured for them in the province, and there they are settled, at the close of the story, tolerably resigned to their destiny.

The length of our extracts leave us little space, even if we had the inclination, to draw an erudite moral from the work before us. We might conclude that persons of a poetic temperament are not the best adopted to fill commercial or political offices; that talents or property are of little use, except the possessor enjoys in addition the blessing of sound common sense; and that people mixing in society above their rank are no better off than the earthen vessel among his brazen acquaintances in the flood: but these truths are older than the times of *Esop*, and besides, we are convinced that little benefit is really obtained, in a worldly or moral point of view, from didactic treatises, or moral observations.*

* To the list of good French Works, given in THE IRISH QUARTERLY REVIEW, VOL. III. No. 11, we beg to add a pleasant novel, or rather collection of novelettes, by *Pître Chevalier*, *La Chambre de la Reine*; *La Marquise de Norville*, a Languedoc story by *Elié Berthet*; and a truly beautiful tale by *George Sand*, called, *Mont Revêché*.

ART. III.—THE IRISH LAND QUESTION.

1. *Tenant Compensation Bill, Ireland*.—Parliamentary Session of 1853—As Brought from the Commons', and as Read a Second time in the Lords'.
2. *Same Bill*. As Amended by Mr. Sergeant Shée, M.P. for the County of Kilkenny.
3. *Report on the Policy and Votes of the Tenant Right Party in the House of Commons during the last Session*. Report made to The Tenant-League Conference, Dublin, Tuesday, October 4th, 1853.
4. *Report from Her Majesty's Commissioners of Inquiry into the state of the Law and Practice in respect to the Occupation of Land in Ireland*. Presented to both Houses of Parliament by Command of Her Majesty, 1845.

THE Land Question in Ireland has been, for many years, one of the chief of what have been called the *problems* of Ireland's economic condition; and has been fatally prolific, not merely in our own times, but for much more than a century back, of misery and crime. So dark and dispiriting is the prestige thus acquired that it has deterred, and still does deter, many from even approaching the investigation of this question; and thereby, in all probability, has much delayed its satisfactory settlement; if it be capable, as, for our parts, we would believe and hope—against, perhaps, all rational expectation, of a complete settlement deserving to be styled conclusive.

To supply material to the reader for coming to a judgment of his own upon the matter—one of such deep interest and importance, not solely to Ireland, but, through her, to the Empire, which never can be thoroughly prosperous while Ireland is disturbed—we propose in this paper to review, as succinctly as possible, the present and the by-gone condition of the Land Question. It will be necessary, of course, to notice as part of our text, but with as much brevity as is at all consistent with a fair exposition and treatment of them, and a due consideration for their authors and public advocates, the various plans, bills, and theories on the subject, that have emanated from public writers, and from speakers in Parliament and out of it,—in office, or in opposition.

The relations between Landlord and Tenant in Ireland were thus described ten years ago, by an Englishman who had, for thirty years, been agent to large estates, both in the

North and South of Ireland ; a man of conservative opinions, but unconnected with party in this country :—

"The occupying tenantry are in a low state of serfage ; their mode of living is low, their condition abject, their treatment haughty, their distance from any intercourse with the lords of the soil immense. In general they are handed over to the tender mercies of agents, whose chief duty is deemed to consist in the exaction, by every possible means, of the highest possible rent ; his duties being regarded by his employers as *fully* discharged by that *mere* collection."

(p. 16.) * * * "There are, it is true, many honorable exceptions ; but it is the general state of things of which we now treat. * * In a general point of view, if proofs were wanting of the utter derangement of this important relation, they would be abundantly supplied from that 'evidence of facts,' which presents itself to the eye and reaches the heart of every traveller in Ireland ; moving him now with compassion, now with indignation, until, alas ! through the deadening powers of habit and familiarity, both his eye and his heart become more callous." (p. 22.) "However, one cannot *at first* behold the wretched and filthy habitations—the inadequate outbuildings—the ragged habiliments—the poor food—the miserable fences—and the thousand other indications of poverty, without feeling that much—very much indeed is wrong between landlord and tenant." (p. 23.) "Every writer on Ireland speaks of 'Exorbitant Rents,' viz., Spenser, Dean Swift, Archbishop Boulter, Rt. Hon. J. Fitzgibbon, Gordon, Newenham, Dr. Woodward, Curwen, Parliamentary Reports (with evidence) of Committees of 1825, 1830, 1832. Wakefield, the latest, says :—'It is an undoubted fact that, as landlords, the Irish proprietors exact more from their tenants than the same class of men in any other country'—and the close inspection of any particulars of sale of land will shew the fact. * * *

The fact is *notorious*, that rents in Ireland are vastly *beyond any proportion of produce exacted in England*." * * * (pp. 26, 27.) "Fancy a petty lord of the soil with a bevy of bidders *humbly* walking after him : 'Well Mick,' he says to one, 'you hear what Pat bids for the land ; now what will *you* advance?' 'Why yer honor, its more than the value, but I'll give your honor three days' *turf drawing*.' 'Three days, my lad, when you know that my turf stack requires a month's fine weather.' 'Och, then,' says Denis, 'I'll not grudge yer honor a week.' 'By the powers, now,' says Larry, 'I'd give yer honor two weeks if the place would keep a horse, or a mule, or a donkey, in the way of drawing ; but I'll bring yer honor a fat pig anyhow, and pay the rint of £4 an acre as punctually as any other man.' 'Larry, the land is yours.'" (p. 38.) "When the inevitable '*arrear*' comes on, further demands are made in the way of personal service ; and further injustice perpetrated. Thus, for instance, the unfortunate tenant is made to pay all the poor rate, by a refusal to allow any portion of it till the last penny of rent is paid ; a circumstance *neither probable nor expected*. Good landlordism in Ireland has many checks, but none so powerful as *ridicule*. Does a landlord evince a disposition to let his land at

moderate rents, it is endeavoured to laugh him out of his *amiable weakness*, and strong hints are given by other landlords, that by foolishly giving away his own property, he is indirectly lessening theirs.”*

These are but a few, and not the strongest, extracts from the treatise of this English gentleman, long and intimately conversant with the state of Ireland, as regards the tenure of land.

The Commissioners of Land Inquiry, appointed by the late Sir Robert Peel's Government in 1841, under the presidency of the Earl of Devon, reported in 1845, (two years later than the appearance of the work from which we have last quoted,) and their account of the state of things between landlord and tenant in Ireland, was strongly in accordance with the description given by Mr. Wiggins. Their striking language, in speaking of the cottiers and agricultural laborers of Ireland is sadly familiar to our ears. They said of them—premising that “a large proportion of the entire population comes within the designation” in question,—that

“The agricultural laborers of Ireland suffer the greatest privations and hardships ;—they depend upon precarious and casual employment for subsistence ;—they are badly housed, badly fed, badly clothed, and badly paid for their labor ;—it would be impossible to describe adequately the sufferings and privations which the cottiers, and laborers, and their families in most parts of the country endure ;—in many districts their only food is the potatoe, their only beverage water ;—their cabins are seldom a protection against the weather ;—a bed or blanket is a rare luxury ;—and nearly in all their pig and their manure-heap constitute their only property ;—and finally, that they endure sufferings greater than the people of any other country in the world.”

In another part of their *Report*, they speak of the victims of what is known by the sadly expressive designation of “the clearance system. “It would be impossible for language to convey an idea of the state of distress to which the ejected tenantry have been reduced, or of the disease, misery, or even vice, which they have propagated in the towns wherein they have settled ; so that, not only they who have been ejected have been rendered miserable, but they have carried with them, and have aggravated that misery.”

* See Wiggins's “*Monster Misery of Ireland*,” Dublin, 1843. See also the Devon Commission Report.

We might easily multiply these distressing quotations, were it not too great a trespass, not so much upon the reader's patience, as upon his feelings. Our limits too, require that we should proceed with our subject.

Unhappily the state of things described in the foregoing extracts, has by no means become a story of the past. It has prevailed, with even greater intensity and severity, to within a very recent period, and is still rife in too many parts of the country. Rents have been kept up, although produce has fallen in price. Ejectments were unsparingly urged on in despite of every remonstrance and supplication; and the cabins of the peasantry were pulled down in such numbers, as to give the appearance, throughout whole regions of the south, and still more of the west, of a country devastated and desolated by the passage of a hostile army.

It might have been thought, and in fact it was thought, and expected by many, that the diminution of the agricultural classes since 1846—a diminution of at least three millions, of which upwards of one million may be calculated to have perished at home under the combined agencies of famine and disease, leaving the rest to be accounted for by the extraordinary emigration, even still actively in progress—would have had mixed up with its many calamities, a small modicum of good in ameliorating matters in some degree, by diminishing the number of *bidders* in the species of land-auctions so strikingly depicted by Mr. Wiggins. But such is not the case. The "supply" of land has been diminished in still a greater proportion than the demand, owing to the mania which possessed our landlords within the last few years, of "consolidating,—" in accordance with the dogmatizing theories of London newspaper writers, and of Scotch cabinet-philosophers. Enormous tracts of land, formerly in busy agricultural occupation by crowds of people, have been given up to "scientific experiments," on the part of an "enlightened" landlord aided, or rather played upon, by a mystifying and "*overcanny*" Scotch Steward; or have been turned into unwieldy realms of pasture, where sheep and cattle reign supreme, and usurp the places where once stood the humble homes of thousands of industrious human beings.

The field of competition has thus become even more narrowed than the number of competitors; and an unexpected, and in a great degree unprecedented re-inforcement has come

to the latter from the ranks of the smaller traders and business-people in towns, who are said to have lately begun to display a singular avidity for the possession of farms.

It is true that the landlords who have essayed in practice the newspaper and cabinet-born theories alluded to, have already begun to see, because they have been made to *feel*, their mistake. It has been found that a "Scotch steward" is not necessarily a wealth-bringing divinity:—that gentleman-farming upon a large and "enlightened" scale has such far-sighted views about it, as to make the *profits* disappear utterly in the distance; that the introduction of "chemistry" into agricultural operations has a tendency to "dissolve" or "transmute" the money of the proprietor; and that men, women, and children, are not, after all, such a surplusage in the orderings of Providence as the benevolent philosophers, and utilitarian dogmatizers who lecture upon the condition and prospects of Ireland, are wont to consider them.

But the discovery has come late, and the conviction is still more tardily and unwillingly acknowledged; and indeed even yet more sparingly acted upon. But events hurry on. The flower of our people are going forth from us, taking away the capital that would otherwise be invested in the land at home, enriching the country and the individual. And where the people do remain in any number the old bickerings are still rife, and, periodically, the fearful news of an agrarian murder comes upon us with the startling effect of the minute gun heard from the sea at night, revealing suddenly that the elements of destruction are rioting abroad.

Mr. Vincent Scully, Queen's Counsel, and M.P. for the great agricultural County of Cork—himself a considerable proprietor of land, thus describes the existing state of things, in a work entitled, *The Irish Land Question*, which he published not long ago.

"The tenant has no sufficient security for the repayment of any labor or capital he may expend.—Rarely indeed is he able to invest it in the most legitimate manner by acquiring a permanent interest in his own farm. Consequently the land is seldom improved; but often deteriorated. He becomes unable to meet his original rent, and is either ejected, or suffered to linger on. Finally he finds himself unable to pay any rent; the ruined occupant of an exhausted farm.—Landlord and tenant suffer through the continual

irritation and warfare which the present system of tenure engenders and perpetuates between them.”*

Having thus far stated the opinions of men well versed in the condition of the Irish tenant, we turn to Mr. Scully’s proposals for the amelioration of the misery of the people whom he has described : his panacea is—

“A *Land tribunal* to be constituted which on being applied to by a landlord and tenant, is to have an accurate map prepared and to ascertain by a proper valuation the fair letting value, or net annual value, which a solvent tenant can afford to pay over *all* rates, taxes, and public charges. If this valuation be agreed to by the parties, it is to be registered for future reference : together with all documents appertaining to the transaction. The rent agreed on is to be lodged in bank, to the credit of the Land tribunal : in default of which lodgement the landlord may re-enter : but the tenant may redeem within six months by paying up arrears and costs ; or may sell his interest to a third party who will do so. The landlord to have a summary power to prevent sub-letting, waste, or breach of agreement on the tenant’s part : and may also raise money on land debentures equal to ten years’ purchase of the *fixed* rent. The tenant to have a perpetual interest under the agreement so long as the rent is paid ; and he may *fine down* his rent at 4 per cent. by paying instalments of not less than one year’s rent. He may also, on paying one moiety of the purchase-money of the ownership, raise the other moiety, either from private persons, or by an advance from public money to be repaid by low instalments of part principal and part interest : secured upon land-debentures.”†

Not delaying to express at length the astonishment with which such a plan, from such a quarter, must fill every mind, we would note some very serious objections, which, unless refutable, must prove its utter impracticability.

First, how is this “Land-tribunal” to be constituted ; and to be paid ? Where are the wise men skilled in agricultural matters, and in general knowledge of men and things, who can be induced to give up all other pursuits, to devote themselves permanently to the investigation and decision of the intricacies connected with the valuation of all the lands of the Kingdom ? They must be well paid for such an office ; and as in these free-trade and *Laissez-faire* times there is no chance of Parliament consenting to salary them, *direct and large money-fees* will have to be exacted from landlord and tenant going before them ; in addition to the loss of equally, or *more*, valuable *time* and temper.

* p. 29—30. † pp. 41—44.

That we do not exaggerate the work cut out for this tribunal, let us take Mr. Scully's own *summary* of it, at page 47—48, of his own book.

"Their duties shall be 1st. To prepare appropriate forms and general rules, to regulate proceedings:—2nd. to examine each proposal, to have a map and ascertain *fair letting value (?) investigate title (?)*; and require that all documents be duly lodged. 3rd. To *receive and pay over all rents !!* To receive and duly apply all sums paid as rent or for the purpose of fining down rents—and act *summarily* in enforcing payments and observance of agreements! 4th. To issue land-debentures. 5th. To examine and decide on applications for absolute sale of any settled, or trust estate; receive the purchase money; and provide for its future application; according to the legal rights and so as to protect the interests of all parties! 6th. To arrange for local land-banks, through which all payments, &c. shall pass."

It will be seen that not only must the members of this land tribunal be first-rate agriculturists; but first-rate lawyers, bankers and executive administrators of the new land-law! And yet, according to Mr. Scully's plan, there is, at first, to be no *compulsion* on landlord and tenant to submit themselves to this tribunal, though it must be constituted and ready to act the moment they agree, (if ever they do agree), to submit to it! Truly it is not unlikely that both parties will be of the poet's opinion,—

"Better to bear the ills we have,
Than fly to others that we know not of."

But supposing these giant initiatory difficulties disposed of, with the same facility that giants are dealt with in fairy tales, it can scarcely be necessary to go beyond the first objection, just stated. The strong ground for further objections must be obvious on a moment's consideration of the proposition to have rents paid, not into a landlord's, or his agent's hands, but into those of a "*Tribunal*" or Board, such as we have just described; which would thus have the handling of 13 or 14 millions of money, independent of the sums contemplated to be similarly paid in for the purpose of fining down rents. Again, all the elaborate machinery thus to be set a-going, is to be liable, at any moment, to total stoppage and defeat, whensoever a landlord may choose to consider that there has been waste, or breach of agreement on the tenant's part,—he being empowered in such cases, summarily to re-enter and resume the land to himself!

But it cannot be necessary to go further in dealing with a project so evidently but a hasty thought.

We come now to the plan upon which there has been much of factitious agitation during the last three years, and not a little of *real* agitation—the plan of the body entitling itself the “Tenant League.”

The following is the “Exposition” of it, drawn up and approved at the Tenant League Conference, of September, 1852, and ratified at the recent annual meeting of the same, in October of the present year.

“The protection of law is required for the whole body of Irish tenants: as regards the nature of that protection, they may be divided into three classes. 1st. The tenants who, without any security, have made improvements. 2nd. Tenants who, in the absence of any law to protect them, have been deprived of all ordinary motive to improve; and therefore have not improved, but who, on the passing of a good tenant right law, would be likely immediately to commence improvements. 3rd. Tenants who relying on an existing custom of tenant right have improved and accumulated property on the soil. An adequate tenant right law should provide for all these. The following are leading and essential principles of Mr. Crawford’s bill. 1st. That all improvements made, inherited or purchased by the tenant ought by law to be his own property. 2nd. That so long as they add a marketable value to his land, they are *unexhausted*; and there is no just reason why at any period they should be forfeited to the landlord. 3rd. That it is almost universally true that all improvements in Ireland have been made by the tenant—that the presumption of law should accord with this;—and that in any legal proceedings all improvements should be presumed so made, unless the contrary be shewn. 4th. That when a landlord goes to evict a tenant or raise his rent, the tenant should be entitled to claim compensation for all improvements, and that inasmuch as a compulsory change of farm is a frightful loss to the tenant, such tenant should be compensated for the injury consequent on such enforced dispossessionment. 5th. That a tenant be legally entitled to sell his interest in his farm to any other solvent tenant, provided that in so selling he do not subdivide; and that when any landlord declines to accept such solvent purchaser, he should himself be bound to accept a surrender of the farm, paying the original tenant for his improvements, or for his tenant right, according to the custom, 6th. That inasmuch as a tenant often finds himself in the circumstances that he is paying a rent for his farm, which said farm, if divested of the tenant’s improvements, is not worth; and the tenant is therefore, in the present state of the law, under the necessity of either continuing to pay rent for his own improvements, or else surrendering such improvements to the landlord along with the land; that any such tenant, being a tenant holding at will, or from

year to year, should be entitled to serve notice of surrender of his farm on his landlord, and requiring a reduction of rent, with an offer, stating the rent at which he would be willing to continue as tenant—that if the landlord object to continue him at such rent, a valuation of the farm by arbitrators should therefore be had—that such valuation should discriminate what is the value of the improvements, and what would be a fair rent to pay for the land if divested of these improvements; that the landlord should, at his option, either accept the surrender of the land and the improvements, paying the tenant what the improvements have been so valued at, or else leaving the tenant in possession of the improved land, continue him in the tenancy at such rent as the land, without the improvements, has been ascertained to be worth; the landlord in no case to be bound to accept the surrender and make compensation, provided he be willing to allow the tenant to continue in occupation at the fairly valued rent, or to sell at such rent to another solvent tenant.

“That, after the acceptance of a tenant, at a rent settled by the arbitrators, or other tribunal provided in any law of tenant right, such acceptance should be taken to operate as a lease for some given period, say 14 years, and that during such period no further question as to rent should be raised by either party.

“That the tenant should have no right to claim for any other improvements than such as are suited to his farm, and the cultivation of it in a husband-like manner—that he should claim no more than in proportion as these improvements increase the letting value of the farm at the time that the valuation of them is made; but that if he chooses to make no claim for them, or if they are adjudged to be of a sort unsuited to the farm, or not adding to its letting value, then he should be entitled to remove the materials of them.

“That the operation of the laws repealing the duties on imported cattle, corn, and other agricultural produce, having greatly reduced the value of land, and altered by an act of the legislature the prices and conditions under which land was let before such duties were repealed, all tenants holding by lease or written agreement made after the year 1815, and before the repeal of the corn laws, should be entitled to claim a new valuation of their lands, and a readjustment of the rent to the existing value of land, provided always that such claim be made on or before some certain day, to be fixed by the legislature.

“That inasmuch as common prudence has hitherto prevented a large proportion of tenants from making improvements which the law authorised the landlord to confiscate to his own use, and it is just and politic, that existing tenants who may be willing to make improvements should have an opportunity of making them under the security of a good tenant right law, that in order to give time for the making of such improvements, no landlord should be permitted for a reasonable period (to be fixed) after the passing of a tenant right law, to evict any tenant so long as he pays a fair rent for his holding, the fair rent to be determined in the same manner as provided for in other cases under the bill.

“That by the changes in the law already alluded to, the calamitous failure of the potato crop, and the increase of local taxation conse-

quent on these and other causes, great arrears of rent have accumulated on tenants, which arrears discourage their industry, and oppress their energies—that from the peculiar causes which have led to the accumulation of these arrears, it is just and politic that tenants in this special case should be enabled to compound for these arrears by means of the same tribunals as may be provided for other cases arising under a tenant right law. That in all districts where the tenant right custom has prevailed, tenants should be entitled to the full benefit of that custom, if they choose to claim the benefit of it—that in such cases they should prove that the custom has existed in the district, and should shew what the custom is—that they should be bound to elect whether they should claim on the ground of improvements, as provided for by the act, or under the custom, but that they should not claim under both; that having elected to claim under the custom, and shown what that custom is, they should in all cases of proceeding connected with eviction, rise of rent, &c. &c., be entitled to the full benefit of such custom, to be enforced by the same tribunals that may be provided for other cases coming under a tenant right act.”

Looking attentively into this exposition, and perusing the more extended and detailed explanation of its subject matter, in the Bill denominated, *Sharman Crawford's Bill*, we find that to enable the latter to be carried into effect, as a law, the following *postulates* should be obtained, viz :

Disputes between landlord and tenant are to be submitted to two arbitrators, one chosen by either party, with an umpire to be agreed upon by both; and if no decision, (or submission to such decision,) then the case to be referred, if a matter of less than £100 value, to the Assistant Barrister with a Jury; and if over £100 in value, to the Assizes. There will thus have been incurred expence and loss of time in attending *and paying* arbitrators and umpire, bringing witnessess, &c.—and in case of the references or appeals provided for, there will, of course, be greatly increased expence—and a delay of months: certainly not less than two, and possibly seven or eight months, (*see clauses V. and VI.*) before an ultimate decision.

Then come the matters of enquiry. These must be ranged under several divisions :

1st. What improvements have been made; and are they *improvements*?

2nd. By whom made—by the tenant alone? or by the landlord? or by both together?

In the latter case another question arises—viz:—in what proportion is their value to be shared?

3rd. What is their *value*?—and in what proportion is that value to be shared between the parties?

Clause 7, which specially deals with this question of "*value*," provides that in all cases the arbitrators shall first specify what "they deem to be the '*fair rent*,' according to the definition before given of '*fair rent*.'" Naturally we look back at once to discover this definition, and find it (such as it is,) in clause 2, where it is declared to be the landlord's *JUST proportion* of the money value of the gross produce at the market price of such produce, which the land will give under a FAIR system of culture and improvement; after deduction for labor and expenses of cultivation, and for taxes, cesses, &c. &c.!!

According to this then, a *fair rent* means a *just* proportion! we get rid of the difficulty about "*fair*" by encountering an equivalent difficulty as to "*just*"; and yet we are not altogether relieved of the former epithet. It meets us again when estimating the degree of cultivation the land is capable of, as we find we have to agree on what is to be considered a "*FAIR*" system of culture!

With such a formidable enigma to be solved, lesser mystifications are scarcely to be noticed. Yet we may observe, in passing, that it *does* appear rather a strange description of "*gross produce*," to give that title to the residue of the produce, after deductions for *all cost* and expenses of cultivation, all taxes, rates, cesses and charges, and for *all labor* of the tenant!!!

Already there must have appeared enough to satisfy every calm and reasoning mind of the unfitness and incoherence of the proposed remedial measure: but we cannot altogether pass from its details, without noticing briefly, and summarily, a few more points in which it really is inconsistent with common sense, as well as with beneficial legislation.

By clause 1, the out-going tenant in seeking compensation for "improvements" can claim not only for the "value of all labor and capital expended, and for his interest in the premises," but also, for "*any loss or injury he may sustain by dispossession therefrom*"!

By clauses 4 to 8, a system of arbitration and *valuation* is established, which is plainly compulsory, inasmuch as though landlord and tenant *may*, if they so please, arrange their differences without it, yet *either can compel* the other to submit to it. The first question here to be asked is,—if this be a good and a right system between landlord and farmer, why should it not also prevail between farmer and *laborer*? The labor of the

latter is his estate,—as the land of the landlord, and the money and skill of the farmer are theirs respectively ; and if the farmer is to be specially protected by law in *his bargains*, the laborer has fully as much right to similar *protection*. His claim is perhaps even stronger, because of his greater poverty and helplessness. That he needs such protection, (if it is to be given to any class) is unhappily, not to be denied. No one at all acquainted with the country, and the relations subsisting between its agricultural classes, can hesitate a moment to acknowledge that there is a very large amount of petty, but very cruel tyranny exercised upon the mere laborers ; and that however head-landlord, his agent, or the much assailed “middleman” may conduct, or *misconduct* themselves towards their immediate dependents, the cases of tyranny and oppression on the part of farmers and direct tenants towards their subtenants, and especially their hired laborers, are sadly numerous, and incontestable.

It is very significant that there has not been found, among the roars of the Tenant League, a single *Boanerges* to advocate the claim of the laboring class to at least as much protection in their dealings with the farmer, as may be given to the latter in his dealings with the landlord. If the State determine that interference is necessary to repress injustice on the part of the landlord, it would seem very inconsistent to allow equal or greater injustices to proceed unchecked at the next point of the social scale. But this inconsistency is tacitly accepted and adopted by the Tenant-League. They pretend to be fighting the cause of the people, when in truth and fact they are only fighting for the objects of one class among the people—the farmers of Ireland ; and are ready, for the sake of the latter, to encroach, not only upon unjust assumptions of power by the landlords, but upon the landlord’s merest and most undeniable rights, and equally to sacrifice the interests of the laboring classes.*

The evil of the precedent to be established in attempting, by State interference, to regulate prices between landlord and tenant, would not stop with the raising of the dangerous question of similarly interfering to regulate the wages of agricultural labor. The legislature would be instantly besieged by the claims of other departments of industry, for a like intermed-

* The secret lies in the fact that the laborers cannot buy the “Nation” or “Tablet,” and the farmers can purchase either or both. ED.

ding. The cry would be ; "you are interfering between purchaser and vendor—between employer and employed in the country. Be just then—do equal justice to us, and lend us your aid by law to make our bargains also." The precedent will be undeniable. The example will be patent and multifold. The demand will in truth be irresistible. And thus we shall see—if the bill of the Tenant League shall pass—if it be *possible* that *such* a bill *could* pass—the old exploded and disastrous expedients for regulating prices, wages and all contracts between man and man,—by other than the natural and solely legitimate process of free mutual agreement,—inaugurated and set a going once more, once more to breed confusion, contention, disappointment, and ultimately a widely destructive, murderous and ruinous Social War.

The anomalous character, or (to use rather a plain but a very expressive, and really in this case a very appropriate word) the *monstrosity* of the legislation thus proposed is consistent throughout, in minor as in larger matters. Section 1, allows the tenant to claim either under tenant right, or under the arbitration and valuation-clauses of this bill ; but no option is left to the landlord. *He* must be prepared to meet the claim for compensation for improvements under whichever alternative the tenant may please to select.

Conacre lettings and sublettings are excluded from the protection to be given by the League Bill, under sections 2 and 11:—although every one who knows Ireland must be aware that these are practices of old standing, and deeply rooted in the habits of the country ; and in truth inevitable, or, to coin a word, *unpreventable*, when the pressure of population comes upon the land-market. The provision against subletting tends strongly to confirm the impression deducible, as we have already remarked, from other parts of the Bill, namely, that it is simply and purely a farmer's bill ; to give *them* advantage, at the expense of the classes above and below them.

By clause 3, as before remarked, the landlord must bring proof against the tenant's claim for improvements before the tenant need substantiate the claim.

By clause 12, a tenant is free to erect what buildings he likes, *no matter how unsuited to the farm* ; secure that even though the arbitrators, or valuers, shall declare him not entitled on leaving his farm, to compensation, either by reason of their unsuitableness, or of any *other* circumstance whatever, (including, of course, circumstances *disadvantageous to the holding*,) he still may remove all the materials of those build-

ings, without being subject to any penalty or action for waste or dilapidation.

We have now to note the changes and shiftings of plans and provisions, which go so distinctly to prove that there is much more of popularity hunting and private objects at the bottom of this agitation, on the part of at least its noisier advocates, than of well considered and soundly based legislation.

In their initiatory Committee, of the year 1850, the Tenant Leagers declared, amongst other things, that :—

“Valuation of Rents must be distinctly included in any measure to be approved of by this Committee. Nothing on account of improvements made by Tenants is to be included in the landlord's Rent.” That is to say, that although the Landlord supplies the raw material, or rather the material in a certain stage of preparation, in supplying *the land* that is to be operated upon, he is not to have *any* share in the profits of the finished article! This is a principle that would scarcely be listened to for a moment in any other department of industry; nay that has had no parallel in the demands even of Trades' Unions and Committees of “*strikes*” in manufacturing districts. “No lease or written agreement for a holding shall be disturbed *save at the request of the lessee or his assigns*.” That is to say, that leases and agreements are to be binding upon Landlords, but *not* upon tenants. And to this it is added, that on the tenant taking it into his head to compel such revision of the original agreement and a new award being made, he may, if *dissatisfied* with the new award, elect to *go back to the superseded agreement*, while all the time the landlord is left without any power of redress! “The Board of Guardians for each Poor-Law-Union shall be empowered to procure, when required, portions of land to be divided into lots; for the purpose of allocating the same to farm-laborers.” This last sapient proviso to which we shall presently make another brief allusion, was, on a second edition of the “programme” or “resolutions” of the initiatory Committee, resolved into the glorious vagueness of a recommendation, that “it be a recommendation to the League, when arranging the affairs of the tenant farmers, to *have regard* for the interests of the laboring classes.”

Let it be here noted that the League agitation did not far progress after this, when point after point of their initiatory programme was quietly dropped, or mystified and refined away to nothing, amid a cloud of wordy explanations and qualifications, (notwithstanding it had been declared “essential,”) with the single exception of “*Valuation*,” which certainly *was* retained and set forth in the earlier editions of the so-called “Sharman Crawford's Bill.”

The “*Allotment*” system started at the end of the programme of the Committee of 1850, is the same, in substance, as that tried and universally condemned in the English Poor

Law Unions, at various periods, and in different shapes, during the miserable and melancholy history of Poor Laws in England. We need not delay to discuss it, as it evidently was merely thrown in at the beginning of the agitation, as a kind of *sop* to the laborers; under the idea that a claim would be made on their behalf. Since then it has utterly disappeared from the public documents of the League, and has never once been advocated at their meetings.

But what is to be thought of the steadfastness of the League-notabilities, when we find that even "Valuation," the principle upon which they based their scheme as a whole—the *great* principle, as they boasted, of their movement, is actually in a fair way of being also abandoned! Yet that such is the case, we shall have presently to quote irrefragable evidence!

Meantime we have arrived at that portion of our subject when the occurrences of last Session of Parliament in the matter of land legislation come properly under review. Mr. Sharman Crawford's Bill, or the thing *which went by the name* of that respectable gentleman, we have already noticed. The qualification just made is not without its significance. The Bill in question was undoubtedly adopted by Mr Crawford; and he acquiesced in its being popularly called *his* Bill. Not many men will refuse that which gives them distinction in public, no matter how temporary or how incorrect of application; in truth the Bill had little or nothing of Mr. Sharman Crawford's antecedent projects in it, and embraced provisions as entirely new to him as to the sober-minded friends generally of a speedy settlement of the land question. It was a hotch-potch in which several *têtes montées* from various parts of the country, from districts in Kilkenny county, in Limerick county, in Clare, Meath, Down, Antrim, &c., aided by men who wanted to sell their newspapers, and men who wanted to get into Parliament by hook or by crook, threw in each his little crudity, without regard to anything but to having a finger in the pie, and the result has been indeed, what in vulgar parlance is understood by, "a mess"!!

Last session "began," in parliamentary phrase, in November of the year before last. On Monday, the 22d of November, 1852, Mr. Napier, Q.C. member for Dublin University, and at that time Attorney-General for Ireland, under Lord Derby's Government, brought forward what were to be considered the propositions of that Administration for amending the law

between landlord and tenant in Ireland. He commenced by quoting the late Sir. R. Peel on the necessity to Ireland's prosperity of an amelioration of her law of tenure; and then stating his own opinion, that Ireland imperatively required for her welfare, the "adjustment of the long vexed land question." He then recapitulated the testimonies of the poet Spencer, of James the First's Attorney-General in Ireland, Sir J. Davies, and various subsequent authorities, as to the miserable and oppressed condition of the Irish small landholder in their time, and showed how the traditions of their days were facts, even in our own.

"Up to the present time," he said, "the vast proportion of the land there was occupied by tenants at will, having no security whatever for their industry or enterprise, and consequently in a position befitting the idle and improvident man, but altogether unjust to the honest and earnest cultivator. Altogether neglected by the absentee proprietor, ground down by the middleman, living—if living—from hand to mouth, utterly uncertain and insecure in his holding, the occupier of land had lived wretchedly on his few acres, and when the first storm arose—when the first calamity occurred at all beyond the ordinary condition—wholly foundered. Hence the people had never improved—the country had never prospered."

We had quoted thus far from his speech of November, 1852, with the foregoing and other startling confessions and admissions—startling, and hopeful also, when coming from an Irish Conservative bound up with the landlord party, when the Dublin morning papers of 29th and 30th December reached our hands, with Mr. Napier's own exposition of his measures, and *his* version of the history of the Landlord and Tenant Debates of late years. The fairest course towards him and to our readers will be to abstract the chief facts and points, and then to place in contrast Mr. Sharman Crawford's very recently published version of the same little history. Mr. Napier states:—

"I have never admitted the claim of a tenant in arrear of rent, for compensation for improvements which possibly may have been made with his own capital . . . My bill gave no claim save to a non-defaulting tenant, and to him not until the landlord brings an ejectment. When I entered Parliament in 1848, I was put on a Committee on Sir W. Somerville's Bill for a settlement of this (the Land Question) subject: a unanimous anxiety to secure bonâ fide tenants was manifested, and before the end of the Session we got through many clauses . . . In 1850 the Government re-introduced the measure that had passed

through Committee : but without powers to persons with limited interests to make beneficial leases and agreements sufficient for securing compensation to tenants. It professed to deal with 'compensation' not only prospectively, but *retrospectively* in reference to a limited class of claims Nothing further was done till 1852, when Lord John Russell explained the delay by saying his Government had thought the bill of 1850 enough ; but that it had failed to appease clamour. Several leading members urging me to the task I consented to take up the question. Sir R. Peel in 1845 had attempted it on the recommendation of Lord Devon's Commission, and continued the bill in 1846, till he left office. Every leader, including Lord G. Bentinck, had by that time given assent to the principle of compensation. (Hansard, 3rd Series, vol. 123, p. 1532—4.) My Leasing Powers Bill went to enable such leases or contracts to be made as would encourage improvements. It did not propose to give any period of possession as an absolute right : but fixed certain periods as sufficient to exhaust the claim for compensation :—the second part of my bill providing that these agreements should be sufficiently binding without disturbance to any of the other arrangements of the tenancy ; or altering its nature or special conditions. As regards Tenant compensation—the *future* difficulty would be greatly reduced by *express* contracts, and diminished competition. As to *retrospective* compensation I at last thought there might be a safe qualification. Under this, buildings of *every* kind erected by tenant of his own will and by his own money were to be his, subject to pre-emption by the landlord at a valuation, or by a new tenant. An amicable valuation is provided...Should the tenant have no more than the right of removing the materials?—and no pecuniary compensation be given, where the buildings are suitable and add to the value of the land? The last poor law and the 'valuation' act of 1852, excluded certain improvements from valuation ; and I thought that it would be well first to take those specific improvements that the legislature treated as proper to be encouraged : 2ndly, by fixing a period of enjoyment of them : 3rdly, allowing no claim save on ejection without tenant's default, and then only the value of the residue of the above fixed period, and not to exceed a fixed maximum : 4thly, securing execution of proposed improvements and ascertaining their real value ; 5thly and lastly, by giving the Landlord the option of assenting to, and making a contract of the tenant's proposal, or leaving it to the tenant, and not disturbing his possession without sufficient cause ; or bringing the matter under my Land Improvement Bill....In committee my plan in the 'Leasing Powers Bill' for a compensating period in the case of buildings, was objected to ; with a suggestion that the '*actual value*' with some restrictions, should be taken. The subject of compensation was divided into two classes, viz., *On the soil* and *In the soil*. For the first class, a '*compensating period*' was rejected ; but a contract allowed for *pecuniary* compensation where the buildings were '*suitable*.' The Tenant's 'Compensation' Bill included such buildings, farm roads, and external fences. The other subjects of compensation were eliminated, as it was thought they were met by the provision for express contracts under the Leasing Powers Bill. The *Fixtures*

clause of the Tenant Compensation Bill has been preserved and transferred to the Landlord and Tenant Bill. As to the Tenant Compensation Bill, the Government measure was, I thought, open to much greater objection than mine, for which it was substituted . . . I am bound, however, to add, that I never could find sufficient reason to anticipate the peril to property which others apprehend from this Bill."

So far Mr. Napier,—whose statement we have been obliged very greatly to compress: but think we have not done so with any unfairness, or injustice to it, or to him.

To his measures, the Tenant League in their report of June 15th, 1853, objected; but still more so to the Government measure of which they made the following complaints:

1st. It ignores TENANT RIGHT. (On this it may be said, that the League's own Bill *practically* does the same.)

2nd. It gives no continuation in occupancy until compensated.

3rd. It gives no protection against rack-rents on Improvements, nor for assessment and valuation of rack-rent arrears.

4th. And whereas Mr. Napier gave compensation for, 1st. Newly made, or enlarged buildings *suitable to the Farm*; 2ndly, Reclamation of waste land; 3rdly, Main drains and Irrigation; 4thly, Clearing stones; 5thly, Fencing; 6thly, Power to remove materials, the Government Bill restricted compensation to the stone and mortar buildings—reclamation of waste land and fencing.

The League further complained that the Government Bill limited compensation for existing Tenant Right to four years, and permitted no compensation to be claimed till *after* ejectment.

Mr. Sharman Crawford's synopsis of the later history of the land question in Parliament, appeared in the papers in November, 1853: but is of such length as to preclude the possibility of any thing like literal quotation, even of portions of it, or of any "abstract" of moderate dimensions.

He expresses himself favorable, under all the difficult circumstances of the case, (and in fact, under the *present impossibility* of getting a better) to the Government measure for "*Tenant Compensation*;" the same which Mr. Napier speaks of as having supplanted his own; and being passed through the Lower House last Session, was lost in the Lords. He notes several improvements in it assented to by the Government during its passage through the Lower House: in the abandonment of the limit put to "*Compensation*" in the first draft of the bill; and the substitution of the words "due regard to be had to the length of

enjoyment of improvements, the present value of the same to the holding, the expenditure actually made by the tenant, or those under whom he derives, and the other circumstances under which the improvements were made." On the whole, while of course strongly recommending further changes in the interest of the tenant, and arguing for the adoption of several of his own clauses in his former bills, he concurs with Sergeant Shee, his present *Deputy* in Parliament, in recommending that the Government measure, if re-introduced, as it is likely to be next Session, should be taken, even with all its imperfections on its head, though taken, as before remarked, only as an *instalment* of justice.

We have already stated that the Bill which for the last two years has gone by his name, is in truth not *his* Bill at all, but a concoction by others, in which his ingredients are only a portion of what has been thrown into the boiler. He, therefore, in agreeing to accept, even temporarily, the Government Bill with its omission of the "Arbitration and Valuation of Rent" clauses; and those which went to establish a kind of "*Fixity of Tenure*" for the Tenant, is not inconsistent, nor backsliding. In none of his former proposals, varied as were these, did he broach the two points in question. He therefore remains as before, without the slightest imputation upon his faithfulness to the cause of the tenant:—that cause which he has so evidently at heart; as distinctly and irrefragably proved by his admirable *practice* towards his own tenants—and proved far better than by the varying theories which he has, from time to time, endeavoured to shape into a law.

Not so the leaders of the Tenant League. The most arrogantly intolerant, and prompt to condemn, and utterly to reprobate others when hesitating for an instant upon the extravagant pledges it pleases the leaguers to demand, they are themselves not a bit too steadfast when it suits a purpose of the hour to vary; and in the matter of the leading provisions of the so-called "Sharman Crawford's Bill," which they swore to all their Gods to maintain, they have most notably recalcitrated. "Valuation of Rents," and "Fixity of Tenure," were the great points to be maintained: yet these, according to the unimpeachable testimony of Sharman Crawford, Rev. Mr. Redmond and others, in addition to the plain testimony of facts, they quietly slurred over last Session.

A very amusing instance of this shifting and qualifying tendency was made patent at what was pompously denominated,—“The Second Annual Conference of the Tenant League,” in October last. Mr. George Moore, M. P. for Mayo County, who, with all extravagancies and intemperances, has yet far more of appearance of principle and steadiness about him than the others, had rather perseveringly objected at the preceding “*Annual Conference*” to the stringent character of the “pledges” there proclaimed. Of these pledges the most conspicuous was, a pledge to insist on “*the full-measure*” of “*Sharman Crawford’s Bill*.” Mr. Moore sensibly objected that there might be contingencies in which a little latitude and freedom of action in these respects ought to be permitted to the Irish members. The decision of the Conference was against him upon that occasion.

In October last, he opened the proceedings of the then Conference, by alluding to this circumstance and showing the inconveniences of it; and in the course of his speech well displayed the inconsistency of Messrs. Lucas & Co.—We quote from the Report of the proceedings given by the *Tablet* itself, in its number of the 8th of October, 1853.

“Mr. Moore, M. P. said he thought it his duty to his constituents, himself and the conference, to explain his own somewhat remarkable absence during the discussion of the Land Bills in Parliament. Last year he had stated he entertained a very great objection to the pledges then proposed and to the terms of those pledges, and had bound himself to them not without great reluctance. His objection was simply this, that in the progress of the tenant cause a period might arise when a strict adherence to these pledges would be inconsistent with his duty to the tenant farmers, and he foretold to Mr. Lucas that a bill would ultimately be brought in not embodying anything like the *essentials of Crawford’s Bills*, and yet one which under all circumstances it would be their duty to the tenant farmers to support. Mr. Lucas said he saw nothing in the pledge to prevent his voting for such a bill, but he, Mr. Moore, told him he understood the pledge differently. He would not say that such a contingency had arisen, but unquestionably bills were brought in not embodying the essential principles of Crawford’s bills or anything like them, yet bills which men in whose integrity and devotion to the cause, and in whose judgment and ability he had the highest confidence, thought it right to support. In saying that these bills did not embody the essentials of Crawford’s bill or anything like them, he was not taking a mere verbal or pragmatismal view of those conditions. He could not by any effort of his mind conceive that he could in consistency with his pledge support bills as containing the essentials of Crawford’s bill out

of which one of two most essential conditions had absolutely dropped, and in which the other was so mutilated as to become of very little benefit to the farmers "....." "If he could bring himself to believe that these bills would be regarded as instalments of justice to these tenant farmers, he might take a different view of these pledges; but taking a practical view, he could not disguise from his conscientious convictions, that whatever bills passed the legislature with their consent, would be considered a durable and permanent settlement of the question..... Had he *not bound himself by a strict pledge*, he would have taken the same course that his honorable friends had pursued."

Mr. Lucas did not attempt to contradict, or explain away the conduct here imputed to him, and his other pledge-taking friends. Indeed, in his own paper, some ten months before, he had broached a doctrine of the same tendency, in what certainly seems a very decided opposition to the pledges given and taken in public.

"I think it necessary to make it clear that we are not only willing but anxious to meet in a kind, *friendly, conciliatory* spirit, whatever fair and *reasonable* treatment we may receive from the *present*, or any other, Government. Unless we do this it is impossible that any government *will hold communication with us*; or care to give us any satisfaction whatever. Our business is to be in opposition to any government that will not do justice to Ireland; but it is *not our business to oppose them in every way reasonable and unreasonable, just or unjust.*" (*Tablet*, December 11, 1852.)

Very sensible doctrine this; but not quite consistent with the Pledges, "to offer opposition to all governments that do not make it a part of their policy, and a CABINET QUESTION, to give to the *tenantry of Ireland a measure FULLY EMBODYING the principles of Sharman Crawford's Bill.*"

It does appear to us that the conduct of the Tenant League chieftains is deserving of very grave reprobation indeed, when we consider, on the one hand, the professions they make and the professions and pledges they induce others to adopt; and on the other, the manner in which they act themselves when they find those pledges inconvenient. During the autumn of 1850, and a considerable portion of the succeeding year, they, as it were, convulsed the chief agricultural districts of Ireland with a fiercely energetic agitation, in the progress of which certain speeches were delivered in various country localities, that went directly to excite the wildest and most subversive sentiments in the minds of the people. The original rights of man, or what were said to be those rights, at the very

foundation of society, were evoked ; and in some cases a direct and immediate recurrence to them was openly advocated, to the destruction of the whole present framework of the social state, the growth of ages, and the production of complicated interests, which enlase the whole community in their widely spreading involutions. A banner was raised, under which for one honest, industrious, and innocent sufferer from landlord injustice who took refuge, half a dozen, or more, of fraudulent or idle and worthless tenants took care to assemble, and had their aid accepted, if not courted. And extreme pledges were advocated, such as dishonest representatives readily swallow, and as easily break, while true men are thereby deterred from coming forward ; not being willing, or not thinking it conscientious to bind themselves hand and foot to a course, the ultimate good result of which is most problematical ; while the immediate and inevitable operation must be, and *has been* (with those who are *sincere*,) to prevent their meeting a fair offer, and has also prevented the smoothing down the difficulties in the way of an amicable, and generally sufficient settlement of the difficult and dangerous question in agitation.

We have seen that those pledges to which the leading Leaguers seek to hold public men, as to the laws of the Medes and Persians, are lightly enough considered by themselves, and interpreted in their own particular cases with most convenient, but not very creditable laxity.

We regret much to have to charge not a little of this recklessness, to use the mildest word, upon the more respectable and moderate, as well as the more merely *adventurer*-portion of the Tenant League chiefs. Mr. Sergeant Shee, a gentleman whose antecedents were all of extreme respectability, and who held a fair name as a lawyer and a man of sense, has allowed himself to be dragged through the mire in this agitation ; and sanctioned by his presence at some of the meetings to which we have alluded, and by at least a tacit approval, as well as by companionship with the men that uttered them, the dangerous doctrines there poured into the too-ready ears of the excited people ; and he has deliberately and repeatedly pledged his reputation as a lawyer and as a statesman, to the perfect soundness and rightfulness (according to him), of the communistic, and so far as good is concerned, the *hopeless* theories which formed "*the essentials*" of what was called "Sharman Crawford's Bill !"

No doubt he is at this moment, in the true League spirit,

attempting to qualify and explain away, and trim off certain awkward angularities in the *scheme* which he finds protrude a little too far, to allow the chance of a passage *for the smoother* and more insidious provisions. But his present moderation, though certainly better than high-handed perseverance in a flagrantly wrong course, cannot repair the breaches in his public repute, as a legislator and a citizen, which he himself inflicted with his eyes open, for the purpose, according to his *apparent* motive, of getting somehow, or anyhow, into Parliament.

Instead of diminishing as we advance, the difficulties of treating our subject within reasonable compass are multiplying. The direct cause is the rapidly multiplying number of enormously long documents upon the subject, which are loading the columns of the newspapers. Mr. Lucas and his Conference, Mr. Sharman Crawford and his Northern adherents, Mr. Sergeant Shee, Mr. Vincent Scully, M.P., and the Rt. Hon. Joseph Napier, Lord Donoughmore, &c., &c., have each and all, in turn, and some of them several times over, put forth manifestoes, reports, explanations, and so forth, of most alarming dimensions, until at last the subject itself upon which they write, and which they all profess to make clear, bids fair to be obscured and lost sight of altogether, beneath a cloud of words.

Under these circumstances, and seeing the impossibility of including in our pages, even an abstract of the over-lengthy and apparently interminable discussion, we must content ourselves with giving the reader a general idea of the points upon which, so far as it is possible, through all the wilderness of words of which we speak, to make out *any* points, the discussion turns. Let it be remarked, in passing, that no stronger proof can be given of either (if not *partly both*,) of two things, viz.:—The extreme difficulty of the subject; or secondly, the want of real comprehension of it by the writers.

Section X. of the "Tenant Improvements Compensation Bill," which passed the Commons, and went to a second reading in the House of Lords last Session, provided that if any landlord or owner, after the registration of the declaration provided for in a previous section, (Section VIII) to be made by a tenant who had executed the improvements contemplated by the Bill, should take the *usual steps at law* to eject the said tenant from his holding, the tenant should have the right, *save where the cause of ejectment was non-payment*

of rent, or breach of any of the conditions of holding contained in the original lease, or agreement, to proceed against his landlord for the amount of compensation to be ascertained due to him for his improvements.

The words we have underlined contain the chief matter of disputation at this moment. It is argued on the one hand, that the power and right of claiming compensation should be absolute, and not conditional upon the paying up of perhaps an exorbitant rent, or the strict observance of the numerous and often impossible conditions, with which the crotchets of landlords, or the mischievous ingenuity of agents have clogged, in the vast majority of cases, the leases, or agreements between them and the tenantry.

A bye battle grows out of this; one portion of the Tenant Leaguers charging the other, with having wilfully abandoned the Tenant cause, by permitting the insertion of the proviso just mentioned, or by consenting to support the Bill as a whole, notwithstanding the retention of this proviso, when remonstrances against it had proved fruitless.

To these charges it is answered, first, that opposition *was* made; and secondly, that it ultimately seemed the best policy to take the bill even as it is. Of course, thus taken, it could only be as an *instalment*; and thus we have the *elite* of the uncompromising, no-surrender, *whole-hog* Leaguers, with their boasted repetition, year after year, of the pledge to accept nothing short of the full measure of "justice contained in Sharman Crawford's Bill," eating their leek most valiantly, and falling back on the very policy of *instalments* of justice, which they so unsparingly condemned and held up to public reprobation!

There is a rather humorous phase of the ways in which the every-day work of Legislation is actually carried on in the House of Commons, in the little history of the proviso we have been considering. According to Mr. Vincent Scully's latest statement, one certainly remarkable among the crowd of documents of which we have complained, for its rare merit of brevity and lucidity, and a statement too that there cannot be any reason for a moment to doubt, this proviso was first struck out of the Bill, then re-inserted, then struck out again, then re-inserted, then *struck out again*, and finally, on the third reading, at a moment when the flagging attention of the House was being altogether withdrawn from a Bill with which

they thought they had done, the proviso was re-established, and the Bill sent thus to the Upper House !

Such an occurrence is indeed not more rare in Parliament, than another matter of serious annoyance to Mr. Scully, mentioned in his letter—viz., the incoherent, ill-judged, ill-placed, random amendments which the League members *fired off*, as it were, during the progress of the Bill in Committee. Persons unacquainted with the management of affairs in Parliament, complain grievously of the difficulty that always seems to attend the bringing into execution of a new law, and the objections that judges and lawyers ever appear inclined to start. But the wonder vanishes at once when there is any experience of the rambling, shambling, chance medley manner in which Members of Parliament, utterly ignorant of law, force unexpected, and often all but incomprehensible, amendments upon the mover of the Bill under discussion.

Returning to the proviso we find that the representatives of the Landlord class seem determined to insist upon its retention under any circumstances, and even if it be retained they do not by any means pledge themselves to the Bill. The battle of next Session will then begin upon this proviso, in all present likelihood, and according to the decision taken upon that, the general color and fate of the measure to be finally passed, may be predicted with tolerable certainty.

The other points in the general melee of the present newspaper discussion are: Firstly, the objections made by the landlord advocates to giving *retrospective* improvements a scope greater than that of a very few years back. The measure that went up to the Lords did originally limit what is called "*retrospective*" compensation to a very small number of years ; but all limit in this respect was subsequently abandoned, greatly to the alarm and indignation of the advocates in question.

Secondly, the limitation, or otherwise, of the classes of improvements. This point has been touched upon in an earlier part of the present paper.

We have now laid before the reader abundant material for coming to a judgment of his own upon the agitation, in and out of Parliament, upon that most difficult and delicate of questions, the relation between Landlord and Tenant in Ireland. There remain for our consideration but the less blated schemes that have, from time to time, been talked of, or written about ; and with these we shall now proceed to deal.

A "compulsory leasing" bill is one of the alternatives that have at various times been suggested, when the difficulties inherent in any sketch or project of an "Improvement-Compensation" measure have appeared to be hopelessly accumulating. Under this plan the landlord would, as the above general title goes to indicate, be compelled to give leases of more or less duration, in every case of existing or proposed tenancy; and for a period of at any rate more than seven years.

A milder, and more preferable form of legislation for this object, was contained in a plan not a little spoken of about ten or fifteen years ago; whereby it was proposed to be enacted, that no process for recovery of rent should issue save in cases where the defaulting tenant held under lease.

This latter plan has infinitely more to recommend it—more of feasibility and rationality about it—than the other crotchets of the many quack advisers, who have taken the case of the landlords and tenants of Ireland into their considerate care. "No rent recoverable save where there is a lease" is, at any rate, a clear, comprehensible, and practicable suggestion; not involving the infinite, and infinitesimal litigation that is, and must inevitably be inherent in any system of "Tenant Compensation for Improvements." We have before, with sufficient fulness, endeavoured to direct attention to the certainty, and extent, and minuteness of subdivision of this litigation; but it really cannot be considered a useless repetition just now, when the discussions of last Session are being hotly revived, to recapitulate upon this point of immediate interest, and of most grave importance.

First, the parties—both landlord and tenant—must either between themselves, or by the intervention of a tribunal, which both will have to *pay for in money*, and, (by their attendance) *in time*,—decide whether the improvements to be adjudicated upon, are *improvements within the meaning* of the Act or not.

Second, were they necessary, or superfluous?

Third, were they made solely by the Tenant, or by the Landlord, or did both contribute; and if so, in what proportion respectively? This enquiry will thus be *fourfold*.

Fourth, in the case of prospective—(i.e., after the passing of the "Compensation" Act.) improvements, were the proper forms observed, and the required notices, &c., duly given?

Fifth, what is the value of those improvements; and if the

Act provide that the Landlord shall, under certain circumstances, be allowed some advance of rent,—(a thing sure to be insisted upon, as he supplies the material for improving—viz., the land,)—to what amount of increase is he to be limited?

In addition to the delays that the plainest and briefest dealing with these difficult questions, and others that may incidentally arise, must occasion, there are the more formal and technical delays—viz.:—the notices to be served of the intention to claim for improvements—the mutual notices as to arbitrators, referees, and umpires—the notices to produce documents—the notices of intention to appeal, and the repetition of all these toils and troubles in bringing the appeals to a hearing and decision!

To any one at all conversant with the details of country dealings and transactions, it is unnecessary to add one word to point out the many “traps” for either party, that must necessarily beset a measure involving such intricacies; or to obtain their acquiescence in our strong conviction, that although the spirit of *litigiousness*, which is already only too prevalent, and which such a measure would inevitably vastly stimulate, would prevent men from listening to reason and settling their disputes by private agreement, yet that when the heat of the contest was over, *both* parties,—the *successful* as well as the unsuccessful—would deeply regret the day they ever sought the “benefit” of the “Compensation for Improvements Act.”

The plan of simply denying means of recovery of rent where the landlord withheld a lease, could not breed litigation or delays. The fact of “no lease” would be at once ascertainable; and the evil itself would soon cease in a great measure, if not entirely, to be operative; as landlords would speedily give leases in order to ensure the recovery of their rents.

This brings us to, and opens out before us, the general question of leases. If made a prevailing, or in fact universal, system by positive enactment, it would be like nearly all the plans proposed for “Land Reform,” a very considerable interference with that liberty of private arrangement between man and man, for which writers on political economy argue. We will not stop to discuss the point with them, and ascertain if they have considered the very grave drawbacks which competition for land, and deficiency of employment in other departments of industry besides the merely agricultural, necessarily occasion

to that "*liberty* of contract between man and man," which is such a sounding and rather hacknied topic of these writers : we would indicate an objection to a compulsory leasing act, upon a ground more immediately practical and cognizable by the hastiest, and most mystically abstract philosopher.

During the running of a lease the tenant has three points especially, on which to keep fixed his attention and his energies. He has to make his farm more productive than when he received it ; in order to make the surer and speedier his own repayment for the annual outgoings, he has to secure the longest and fullest enjoyment at the increased value, while yet it is impossible, by reason of the subsisting contract, for his landlord to demand an increased rent,—and finally he has to take every practicable means to insure that if he do not succeed in getting a renewal of his lease at the expiration of his term, he shall carry with him as much of the realizable value as possible, of that which he added to the worth of the holding, and not find himself in the predicament of having, by his own industry and enterprize, injured or destroyed his own chances of renewal, and in fact tempted the cupidity of his landlord.

Now under any "leasing" system, compulsory or otherwise, which does not go the length—the *impossible* length of also *enacting renewals*,—the insecurity in which the incumbent tenant, or actual lessee, as the lawyers call him, necessarily feels of being continued in the holding that he shall improve—or if continued, at anything like a moderate amount of new rent, must operate, and in consequence of the unhappily too general experience of injustice in such cases, *does* very grievously operate, to make him at best careless of the soil during the concluding portion of his tenancy. During the first portion of the tenancy he improved—expending both money and labor. During the second he enjoyed. As the third draws on he has become uneasy—feels his own insecurity—dreads dispossession—and accordingly sets deliberately about exhausting the land of the increased value he gave it ; or at best ceases to care its cultivation.

Inevitably then, this insecurity of his leads to his own loss—to loss on the part of his landlord, and to loss to the country, as anything which tends to check careful cultivation and improvement must of course be a loss, not only to individuals in the agricultural class, but from the chain of mutual dependence that binds individuals and classes together, must be an injury to the country at large,

Is there then no plan which, while it would secure the landlord in his rents, would also secure the tenant in his improvements—and give him a legal claim for them to the very end of his tenure, without producing all the petty, intricate, dilatory and damaging litigation, which the schemes of “compensation for improvements” necessarily bring with them?

In our mind there is—— is *still* to some extent, and was to a greater—a system, *in practice*, and in practice for *many years*—which accomplished all three of the requisites indicated in the query just set down.

We are not committing ourselves to this scheme—let us premise ere entering upon its details—we are not pledging ourselves, and of course not pledging the IRISH QUARTERLY REVIEW to this, or to any other particular method or proposal, for dealing with the great difficulty of the day, the Irish Land Question. Our object, as already stated and repeated in this paper, is, to supply the reader with material to form his own judgment; and in pursuance of that object, we now proceed, after having, we trust fairly, and with sufficient fulness, considered other plans and systems—to deal with the actually existing and long practised custom of ‘Tenant Right’ in the North of Ireland. We shall state its nature, its recommendations, and the objections advanced against it:—not at all fearing an impeachment of our candor for having already asserted, that which we shall proceed to show is admitted by the enemies as well as the friends of the northern tenant right, viz., that it secured the Landlord in his rent—the Tenant in the value of his improvements, and accomplished both those ends without ruinous delays and litigation.

Mr Wiggins, whom we have before quoted, thus describes this custom, in his book on Ireland, published ten years ago:—

“This custom called ‘The Tenant Right’—is for the tenant to sell his interest or goodwill in the farm, although he may have only a yearly tenure: and he introduces the purchaser to the landlord, who is usually accepted as a matter of course. The terms of transfer are often high. They vary from five to fifteen years—but usually under ten years’ purchase on the rent; and a tenant at will, in Donegal, sold his interest in a rent of five shillings per annum for forty pounds, although the purchaser was apprised of the previous intention to raise the rent to forty shillings a year. Many circumstances have contributed to the establishment of this custom besides the rebellion of ’98. The necessity of the case arose out of several considerations, viz—the general practice of landlords not to give leases; the tenant having to make all improvements entirely at his own expence, and even to provide all buildings, which required, during the prosperity of the weaving

employment and *linen trade*, to be very ample ; the absolute necessity, since the failure of cottage weaving, for those who do not wish to emigrate, to obtain possession of land ; the landlord's tacit permission of this transfer, seeing that it operated as an encouragement to improve without a lease ; the difficulty that landlords found themselves under in evicting a tenant for *any* other cause than nonpayment of rent ; the means often afforded by the exercise of the tenant-right to obtain payment of arrears, which of course are discharged by the new comer ; the seeming similarity between this transfer and what takes place between an outgoer and incomer in England ; the little intercourse of the landlord with his tenant, making it matter of indifference to him who should be his tenant, providing his rent was paid ; the probability of a better tenant, and at least the fresh exertions of a new man :—all these, and probably many more reasons and circumstances, arising out of the disturbed state of society in the north about '98 ; the resettlement of it since ; the change from a flourishing and universal linen trade to a partial, confined, and dull manufacture ; the necessity, on these accounts, of attention to agriculture, as a primary object which before was secondary ; all these have contributed to raise up and sustain this custom, which seems so very extraordinary to an Englishman, although on the whole it is a very useful and wholesome custom, and one founded in reason, equity, and common sense. For what is the case ? a tenant takes a piece of land, usually at a higher rent than the former possessor ; he supplies all the buildings, such as they are, and though low in quality, they are necessarily numerous, for, besides mansion, (as the house is here called,) there must still be barn, byre (cattle house), stable, car-shed, cottars' cabins, &c. &c., and in the village linen times, weavers' houses, flax stores, scutching mills, &c. forming altogether a little town ; and supposing he did but little to the land, all this outlay could hardly be considered as entirely at the mercy of the landlord, although no lease secured it to the tenant. Legally, it was at the landlord's mercy, but equitably, *i. e.*, in *MORAL*, as contradistinguished from *LEGAL EQUITY*, it was not, and the mind of men would have revolted at such a power being assumed. Thus, how true it is, that 'law is,' (or ought to be) 'the perfection of reason ;' and when it is not so, from local peculiarities, the usage of mankind will "rectify" it to the reasonable point. The tenant-right has grown up from a mutual sense of justice from man to man ; and I heard one of the best landlords in Ireland speak of it with approbation. There are, however, some drawbacks upon its general good-effects, inasmuch as the payment tends to cripple the new tenant, and it brings on the estate a stranger, who may not be acceptable to the landlord."

Other writers upon the custom of *Tenant Right* in the North of Ireland, assign its origin to different causes and different dates. One, and a very probable theory, makes it remount to the times of the Revolution-Settlement in Ireland, viz., the concluding decade of the seventeenth century. William the Third's followers, and the Scotch and English colonists who, then and afterwards, settled on the

forfeited lands of the Catholics, were much too sturdy men to consent to step exactly into the customs of the native yeomanry, and agree to hold their lands at will, or on an insecure tenure by lease. They insisted upon a security of a more permanent and enduring nature, and their settlement in Ireland, and the conciliation of their support to the new order of things, were objects of paramount importance to the Revolution Government; and the custom of "Tenant Right," as thenceforward practised in the North, even down to our own times, was the method devised for satisfying their requirements.

Such is another account of its origin. There are still further variances of story on the subject; but we have so much more to do with the *actual practice* of the custom than with speculations about its origin, that we must leave our readers to seek further information for themselves upon the latter, if they feel any further curiosity.

The late Mr. O'Connell drew up a report on this subject, which was published in April, 1845, which contains the following statements:—

"That it appears from the Report and Evidence of the Devon Commissioners, and of the Committee on the Townland Valuation of Ireland, that throughout the greater part of Ulster the practice of Tenant-Right prevails, and that along with it are found industry, comfort, and peace. * * That according to the practice of this right, no person can get into the occupation of a farm without paying the previous occupier the price of his right of occupation or good will, whether the land be held by lease or at will. That on the ejectment of any occupying tenant, he receives *the full selling value of his Tenant-right, less by any arrears due to the landlord*; but this does not extend to middlemen.

"That the same custom, unrecognised as it is by law, prevents the landlord who has bought the Tenant-right, or otherwise got into possession of a farm, *from selling it at such an increase of rent as to displace Tenant-right*. Thus, middlemen are almost unknown, and *the effect of competition for land is principally to increase the value of the Tenant-right, not the amount of the rent*.

"That *Tenant-right exists even in unimproved land, and that five years' purchase is an ordinary payment for the Tenant-right* of such land, while fifteen or twenty years' purchase is often given for the tenant-right of highly improved farms.

"That, nevertheless, this right is regarded by many of the

present landlords of Ulster with jealousy and dislike; that several of them have endeavoured to shackle and reduce this right; that some of them on the borders of the customary counties, have tried, with success, to abolish it, and that '*it is in danger*' [in the words of *The Northern Whig*] '*of being frittered away in course of years, and no equivalent provided in its stead.*'

"That one witness, Mr. Handcock, agent to Lord Lurgan's Estates in the Counties of Down, Antrim and Armagh, makes the following impressive statement on the subject:—

"'The disallowance of tenant-right is always attended with outrage. If systematic efforts were made amongst the proprietors of Ulster to invade tenant-right, all the force at disposal of the Horse Guards would be insufficient to keep the peace.' " ! The following are some extracts from the general Evidence alluded to by Mr. O'Connell.

Evidence of James Sinclair, Esq., J. P., Strabane, County Tyrone, before the Devon Commission. Page 743 of the *Appendix of Evidence*.—

"19. You spoke of tenants improving very greatly, in the confidence that they shall not lose; do you think that the existence of the Tenant-right gives them that confidence, and that they look to be remunerated by the sale of it?—I am sure of it.

"21. What, in your opinion, is the effect of the Tenant-right upon the country?—It has some advantages, and certainly some disadvantages. One disadvantage is quite plain, that the tenant-right is frequently sold for a sum of money which is borrowed, and which hangs as a heavy weight upon the incoming tenant, sometimes to his ruin. But that being out of the way, I think the thing is a very valuable and useful custom.

"22. Can you give any statement of what you consider the price or value of it, compared to the years' rent or the acre?—I do not believe there would be any general rule; but within this fortnight, a man in a mountain district that belongs to myself, came for some timber to build a house. I had never seen him, nor heard of him *before*; but on enquiring who he was, I learnt he had given £80 for a farm without a lease, that paid £3 a-year."

FRANCIS O'NEILL, Esq. same County, (p. 764.)

"47. What, in your opinion, is the effect of the tenant-right?—I think the tenant-right has a very good effect both for the landlord and tenant, for when the tenant has a

right in his land it makes him more punctual in his payment; when he has the interest of four, five, or six years purchase, the landlord need not lose; he may insist upon being paid; it secures the tenant and encourages him to make improvements. Upon a great deal of this estate there are no leases at all; and I have known tenants to make improvements in the confidence, that if they made improvements, they should have the leave to sell.

"48. What is the value of the tenant-right either by the year's rent or by the acre?—Generally from seven to ten years' purchase is given: some having no leases are limited to five years by the landlord. There has been a regulation made in this neighbourhood, that those who have no lease should not get more than five years' purchase; those who have leases get from 7 to 10; I have known twelve years' given where the land was well situated, and the houses in good order. If he paid £7 a year rent, he would get £70 or £100 going out; it would depend on the condition that the farm and house were in."

(Mr. GRIFFITH, government Engineer and Valuator.)

"68. I am aware of a great number of instances where very considerable sums of money have been given for what is called the tenant-right to a farm held at will; thus a tenant wishing to leave the country, sells his tenant-right to his farm to another. I have known as high as £20 an acre given for the purchase of the tenant-right.

70. Mention the counties in which you know that practice to prevail?—The counties in which I know it to prevail are, Armagh, Down, Fermanagh, Tyrone, and Sligo. It prevails to a certain extent in the adjoining counties, but not to the same extent as it does in these, as far as I am aware.

71. Can you state whether that payment has reference to improvements which may have taken place?—I believe to possession alone; in some instances it may have regard to improvements, but generally it is for possession alone.

72. In the case of a landlord resuming his land, is there any custom of making any payment of that kind?—It is usual for the landlord to pay the full amount of what the tenant could obtain from others for the tenant-right.

73. Have you observed these purchases made, even where the outgoing tenant was giving at the time a high rent?—

I have known it in the county of Armagh, where I conceived that the rent paid was a full rent, one-third above my valuation.

74. And get a large sum is paid for the privilege of paying that rent?—It was, but much more is given for a tenant-right upon one estate than another; the amount *frequently depends upon the character of the landlord or of the family.*"

Captain CRANFIELD, Agent to Lord Powerscourt.

36.—"I think there is a manifest benefit to the tenant and in some respects to the landlord, whose rent is *always secured*. In other places a tenant threatened with an ejectment, gathers up all he can and runs away: whereas under this system such tenants are most anxious to make a settlement at once. If a tenant does go away, there are many ready to pay up the arrears. On the other hand the landlord cannot put eight or ten tenants out, and make a good large farm for a respectable person, without either breaking the custom or repurchasing his estate."

Very Rev. Dean STANNUS, Agent to Lord Hertford.

"I should wish to see tenant-right upheld. It is that which has kept up the properties in the North of Ireland over the properties elsewhere. It is a security for the tenant in the first instance, and reconciles him to much of what are called grievances in other parts of the country."

There are many other portions of the very interesting evidence upon this subject which we would much desire to quote, did space permit. But we have given enough not only to shew what the custom really is, but also the very high opinion entertained of it by witnesses quite other than partizans of the tenant-class.

It is a very grave matter—deserving of the deepest consideration—to pass altogether by, as in fact not only the Government Bill of last session, but Mr. Sharman Crawford's reputed measure practically did,—an existing, and long established, and long tried custom, to the beneficial operation of which such testimony has been borne. No sounder maxim can there be than that which teaches the true statesman, when compelled to make changes in legislation, to do so as much upon old and well recognized bases as possible; and seek rather to improve upon what he finds established, than to uproot and destroy, for the purposes of reconstruction.

The Tenant-League do indeed affect to include the custom of Tenant-Right in their demands. But their leaders and country advocates have concurred upon several occasions, in publicly declaring that they did not consider the Northern Tenant-Right as by any means sufficient; or as worth much in comparison with the crude, patchwork measure which they call "Sharman Crawford's Bill." And supposing, for a moment, that they were sincere in the casual and passing mention of the Northern custom, which is all they concede to it in their "Bill," it would be but a new proof of their inaptitude in all that regards statesmanship and practical legislation, to include two systems of land law in the one measure; viz., the system of "*Tenant-Right*," and that of "*compensation for improvements*," with the expectation that the two could possibly co-exist, or even *alternatively* exist. One or the other would necessarily come to be the rule for all Ireland.

"Tenant right" as described in the quotations we have last given, would seem to have at least one entirely undeniable recommendation about it, namely, that it would practically "*work itself*," were a law passed declaratory of the custom, as we have just stated it; and by enacting that henceforth it should be practised in all cases between landlord and tenant, there would be no need of the intricate, unwieldy, expensive and vexatious forms, inquisitions and adjudications, such as the leaguers "Bill," or even Mr. Napier's proposed measure, would inevitably and obviously require. The tenant having to leave his farm, would get the best purchaser he could; and it would have been his *interest to keep the land in heart up to the latest moment*; as thereby he would have a more valuable article to bring to market. The landlord would secure his arrears out of the purchase-money, the in-coming tenant would know that he had security for his expenditure on entrance, in the certainty he would immediately acquire of being safe from ejection himself, save by a similar process of sale of the holding in the market; and the out-going tenant would depart to seek his fortune elsewhere, with a fair sum of money in his pocket.

During the 140, or 150, years that it was in general practice, benefitting and enriching the counties that admitted it, no legal interference whatever, nor even any voluntary arbitration was admitted, or *sought for*. *The system worked itself*, and

would do so still, were it saved from recent encroachments where it has existed, and established by law in the districts in which hitherto it was unknown.

The most specious of the objections that have been made to it can be briefly stated, and as briefly met. First, it is said, that the incoming tenant is impoverished by it, and thereby rendered unable to improve. The independent and prosperous condition of the farms and farmers in the north of Ireland, where the custom prevailed, is a direct answer. If anything additional were needed, it would be enough to remind the objector that if the new tenant find he has a bad bargain, *he can sell in his turn*. And all who are cognizant of the condition of tenants under the state of things that has prevailed in other parts of Ireland, where tenant-right is unknown, will at once concede, that it would be difficult for the tenant under the Northern custom to be *more*, or *as much*, impoverished thereby, as his fellows in the other districts alluded to, where no such custom has been acknowledged.

The restriction on the landlord's entire liberty of action and disposal of his lands, is the next point most urged by way of objection, yet the evidence is distinct, that there was no impediment in the way of his obtaining a better rent from the new tenant; nor of preventing the entry of one whom he disliked. And a statutory provision might easily be made to give him power to object even to the third or fourth person presented to him for entry; with, however, a proviso in favor of the outgoing tenant, that he should not be the loser by being compelled to accept ultimately, *without compensation*, a purchaser at a lower price than the rejected candidates had offered: the only real restriction—and its benefit will scarcely be questioned—would be, that a landlord would cease to have the arbitrary power of total extermination now possessed, and too often exercised.

He would be secure in his rent, and in his arrears of rent, if any. His ground would be kept in good heart by the tenant, for his own sake, as before shown. The tenant would be enlisted in the landlord's cause against the practice "of subletting," hitherto and otherwise legislated against in vain. He would be very careful how he crowded his holding with cottiers, when he knew that in the *exact ratio of their number* and poverty, would the *selling value of his own holding decrease*; the more so as this impoverished class would, themselves, claim a "Tenant-Right" against him.

We were about to close our remarks when another pamphlet connected with their subject, and written by Mr. Scully, M.P. for the County of Cork, reached us; the pamphlet is entitled, *Free Trade in Land Explained*. The substance of it is a speech delivered by the honorable and learned gentleman himself in the House of Commons in June last, explaining a proposed measure of his, entitled, the 'Transfer of Land Bill. At page 35 of this Reported Speech, we find the following summary of the chief provisions of the measure :

"These provisions are few in number. The first four clauses propose to allow any owner of land to obtain a Parliamentary title so as to enable him to transfer his land or any portions of it, at any future period, without delay or expense. The first clause enables every landowner to apply to the Land Tribunal, to be constituted under the proposed act, in order to have his land brought under its operation ; and then if the tribunal think fit to grant his request, they will direct a full investigation to be made, as to the title and the existing state and circumstances of the land ; and should they find that he has a full title as owner, they then may order that the land, or any part of it, shall be brought under this act, and thenceforth such land shall remain under its operation.

"The next section declares that, when land is once brought under the operation of the act, no person shall thereafter be at liberty to embarrass it by any future settlement, or trust ; or to create any of those various charges which tend to make titles to land so very complicated in these countries. This clause will not interfere with the power to grant leases : but counter-parts must be deposited with the tribunal.

"The 3rd clause enables the owner of any land brought under the act, to apply to the court for an order, declaring all existing estates and charges affecting it ; and this order shall give parliamentary title ; and every person entitled to any estate or charge mentioned in the order, may obtain from the tribunal, a certificate of his interest.

"The 4th section authorizes any person, who is entered as owner of any estate, to have it transferred to another person, by a simple entry in the books of the tribunal.

"With regard to the charges on land, viz : mortgages, legacies, quit rents, tithe rent charges, annuities, judgements, recognizances, crown bonds, decrees of court, orders and rules, the 5th and 6th clauses direct them to be converted into one simple class of

charge, to be called *Land Debentures*; issuable only to a *limited* extent."

Such, in its main features, is the measure which Mr. Vincent Scully's legal and chancery experience, superadded to his experience as a landholder and a considerable landlord, induces him, as he declares in his speech, to propose as a remedy for the "many ills that (*in Ireland*) the *land* is heir to"!

Obviously it is a measure not capable of any immediate application; and quite of too large a character in the alterations it propounds, to be very quickly digested, if at all, by the House of Commons—that House in which there prevails so marked a dread of *any* change, not of microscopic dimensions and most gradual operation. On these grounds we would be disinclined to give it much consideration here, even did space permit, and would rather reserve it to be dealt with at a future time, and in another way.

Mr. Scully is entitled to exceeding credit for the great and careful elaboration that he has evidently bestowed upon the pamphlet, and for the ability he has displayed, as well as for, undoubtedly, his thorough honesty of purpose: whatever may be the judgment on the measure itself, either in its details, or as to the principles it is declared to be based upon, there is no doubt whatever of the importance of the subject matter, of its great and vital interest to most important classes in this and other countries, and of the good that must flow from the thorough discussion which it helps to promote of social problems daily assuming greater magnitude, and more and more imperatively needing solution.

In brief, we have the following amongst other difficulties as to this proposed measure. 1st, The *very practical* difficulty of getting it through Parliament, at least in any reasonable time. 2nd, The fact that giving more facilities (by *land debentures*) for *borrowing*, is a doubtful way of clearing indebted estates; and that the truly desirable object of a cheap and facile transfer of land does not require a *debenture*-system. 3rd, That these debentures would soon display the same tendency to agglomerate among a few wealthy persons, which inevitably occurs whenever small portions of property are in the market in a country like this, where the possession of large estates is the directest road to rank and honors. This tendency is already markedly obvious in the working of the "*Freehold Land Societies*" of which Mr. Scully writes. 4th, The certainty of reviving

the battles of the "*Currency-Doctors*" the moment that Parliament should decide on making these debentures "marketable and negotiable securities"; to say nothing of the certain stimulus that would ensue, to all manner of jobbing speculation.

Other weighty objections suggest themselves; but with these we rest for the present, not considering, as we observed before, that the scheme is available at this time, if it even be capable of being ultimately made so for its professed objects.

In conclusion, there remains but to remark, that in the review of the various plans for amended Land Legislation which we have offered in this paper, we have necessarily had to avow a certain preference; but a preference which is to be qualified in the minds of our readers by understanding it as only *comparative*. In a healthy state of things land-contracts ought not to be the subject of legislation at all, but should be left to free, mutual agreement. Undoubtedly, a healthy state of things cannot be said to prevail, or have prevailed in Ireland, and all parties are now beginning to agree that "something must be done." Our impression is, that it would be well if all parties first looked into the *general* condition of their country in all its relations and interests; and examined whether some large, *all-reaching* change in the management of her affairs, ought not to be sought for, rather than a particular interference and meddling with one interest alone. The cost of effort would not be greater in the general than in the particular case; and while amendment in the latter might, nay *could*, be only *temporary* as well as partial—(inasmuch as the unsatisfactory state of other relations and interests would inevitably re-act, and soon diminish or destroy the improvement in one) a great general measure would tend to restore capital to the country, and cause it to circulate throughout all the ramifications of industry, and by giving vitality to the core of the body politic, invigorate its every limb, even to the utmost extremities.

The devising and application of such a measure would be indeed a work worthy of the study and attention of those who aspire to be the leaders and instructors of the people, in and out of Parliament, and would save us from the legislative labyrinth into which we at present seem fated, during the approaching Session, to be plunged in the research, certainly vexatious, and too probably fruitless, of a specific nostrum for a particular evil.

ART. IV.—PLUNKET.

GRATTAN, FLOOD, CURRAN, BUSHE,—glorious names that in other days swayed the Irish multitude, and guided the policy of the National party,—all have passed away, and now the great spirit that lingered longest, connecting the Pigmies of the present with the Titans of the past, is gone—and the fame of PLUNKET is a memory of the dead.

There are men whose biography is but the history of their country; the events of their existence devoted to public affairs cannot be separated from the events of the Nation, and thus the recorded epochs in the lives of Cromwell, of Monk, of Hampden, of Somers, of Marlborough, of Walpole, of Pitt, of Fox, of Sheridan, of Grattan, of Wellington, of O'Connell, are the history of the country in their eras; and to this roll of men, who, for good or evil, have ruled the destinies of these Kingdoms, we may add that of William Conyngham Plunket.

He was the last great man of a period when to be champion in the public cause of Ireland was to prove one's claim to honesty, to eloquence, and to the most stainless patriotism. In that age Irish popular movements showed the ominous and determined resolves of a people; now these movements are but the idiot mouthings of a thoughtless rabble, with bucolic priests and Dublin newspaper adventurers for Tribunes,—then a Nation spoke, and its leaders were the truest, the ablest, and the wisest men of the country and of the period; of these leaders Plunket was amongst the foremost.

Commencing life a poor man, he became independent in purse through his own professional efforts. Loving Ireland more than his own interest, he spurned bribes the most seducing, and place and patronage the most fascinating in their golden splendor. With genius of the brightest order he combined all the graces of the rhetorician, and all the erudition of the scholar. To a perfect knowledge of men he added the readiest, the keenest, and the most polished satire. To a most exquisite and refined wit, he could draw aid, when occasion required, from a fund of broad, buoyant, national humor. In the Legislature he was, from the first, distinguished as a profound, and accurate, and eloquent orator; as a debater he was ready, well informed and dauntless; as a patriot, and as a soldier of freedom, he was amongst the most distinguished of those who, word by word, contested the enactment of the Legislative

Union. Thus too he bore himself in the English Houses of Parliament; and whilst others, his fellow countrymen, forgot, in these assemblies, the older and the nobler principles they had professed in their native Legislature, Plunket was ever Irish in heart, Irish in deed, Irish always and in every thing.

When the Act of Union was carried he felt that all efforts to obtain its repeal, must, in that age at least, fail disgracefully,—tending but to weaken the connection of the Kingdoms, and exposing the efforts of the Irish party to the suspicion of raising a factious opposition. United with the Grenville Administration, he became the advocate of the Irish people, and deserted none of those principles of his past life by which he had secured the honestly earned titles of patriot, and of true-souled Irishman.

From the first hour of his entrance into the world of politics to that day, when, amidst the regrets of all the Nation, he retired from the public service, he was ever the same. He relinquished his post as Chancellor with regret,—it was the last which enabled him to serve his country, and it was the only tie that bound him to life, and reminded him of the fame and glory of the past by years. Although he was illustrious in the Legislature, yet to the Courts of Law we must follow him, if we would appreciate and observe the "*coronam multiplicem, judicium erectum, crebras assensiones, multas admirationes, risum cum velit, cum velit fletum, in Scenâ Roscium.*"

About the year 1725, the Rev. Patrick Plunket was Minister of the Presbyterian Congregation of Glennan, in the County of Monaghan. His son Thomas was born in the year 1725, and educated at the University of Glasgow. This Thomas Plunket was licensed by the Presbytery of Monaghan in the year 1747, and was called unanimously to become the Minister of the Congregation of Inniskillen, on the 31st day of July, 1748.

Thomas Plunket had married a young lady of his own persuasion, a Miss Mary Conyngham, and in the year 1750, she bore him a son named Patrick, who was afterwards distinguished as a physician, and attended the illustrious Lord Charlemont in his last illness; and in the month of January, 1764, a second son was born, and baptised William Conyngham Plunket.

Thomas Plunket held the office of Minister, over the Inniskillen Congregation, until the year 1768. During these

twenty-years he received calls from various Congregations, but could not be induced to leave his old friends in Inniskillen, until he accepted, after many solicitations, the call of the Congregation of Strand-street, Dublin, which was dated the 23rd day of November, 1768, and he then became the colleague of the Rev. Doctor Moody.

He was a man of ability and learning, and was a humorist of the quaintest class; being, both in Inniskillen and in Dublin, the warm friend of that most erratic of churchmen, the Rev. Philip Skelton, the curate of "Premium" Madden, and rector of Fintona.*

The Rev. Thomas Plunket continued in the Ministership of the Strand-street Congregation during the ten succeeding years, and died in the year 1778, aged about fifty-three. From one who knew him well we learn, that "his eminent gifts as a Preacher, peculiar talent of wit, and conversational powers, added to his zeal in the cause of civil and religious liberty, and great political knowledge, obtained for him the friendship and intimate intercourse of the most distinguished persons in Ireland. His society was eagerly courted, and his opinion consulted, by the most eminent statesmen and Parliamentary leaders of that period. His character was a rare union of natural talents of the highest order, combined with the most winning gentleness of disposition, and truly christian kindness of heart."

The Rev. Mr. Plunket was not a fortunate man in life, and he died poor, leaving to his children as a heritage, but an honest name, and industry, and genius. The Congregation of Strand-street chapel saw that the family of their late Minister was not well off in worldly riches, and they enabled the children to commence life independently: with that honor which ever distinguished Plunket, he in after life repaid the sums thus advanced, and when debt pressed upon the public chapel fund of his old friends, he presented them with a sum of over £500, to enable them to discharge their liabilities.

In the year 1781, William Conyngham Plunket entered Trinity College, and amongst the most remarkable of his circle were Bushe, Doctor Miller, author of *The Philosophy of History*, Peter Burrowes, and the late William Magee, Archbishop of Dublin.

*For an interesting sketch of Skelton, see, IRISH QUARTERLY REVIEW, Vol. III. No. 11, pp. 708, 710.

Of the brilliant corps of distinguished men who first proved their ability in the College Historical Society, Plunket was amongst the most famous. Whilst Grattan, Baron Smith, Lord Wellesley, and other Irishmen had received, or were receiving education at either of the two great English Universities, Plunket was reared in our Irish institution; and if he were there exposed to the evils of exclusivism, he was at the same time enabled to study the character of the Nation's mind, and to measure his mental strength with those who might afterwards be his opponents, his rivals, or his followers, in the forum or the senate.

His progress in the College course was not remarkable; having selected the Law as his profession, he entered Lincoln's Inn, about the year 1784, and was called to the Irish Bar in Hilary Term, 1787.

For some few years he worked quietly on; but the grave, deep, far-seeing spirit was neither slumbering nor quiescent. Plunket saw fools, and scoundrels mounting to the high places of the political world around him. The surging tide of the public indignation had heaved and roared, and the wild dreams of freedom,—à la Français, had disturbed the Irish people, and had begun to startle the government from that false security into which the easy seduction of the Volunteers had soothed them. But the Minister could not be blind or deaf to the fact, that the Volunteers had taught the Nation one great, plain, lesson,—that a comprehensive and perfect measure of Parliamentary Reform was needed for the protection of Irish trade, and for the security of Irish independence.

In the year 1793 the Irish nation thought thus. The two great parties in the legislature, those who were the slaves of the Minister, and those who were called the Charlemont Whigs, that is, those who were for the free and independent action of Ireland, sought anxiously for recruits among the young, and intellectually able, of the out-door world. Lord Charlemont had ever been desirous of securing the new talent that, year by year, sprang up from College, and from the Bar. His borough—Charlemont—had ever been at the command of the national party; in the year 1775 Grattan had been returned as its parliamentary representative. Grattan had saved the country, had created its independence in 1782; and once more Lord Charlemont had another opportunity of rendering his borough remarkable. He saw that Plunket was a man made for

clash of the Legislature of the period. Young men were needed by the popular party ; Grattan was no longer vigorous, as in the days when his hand was as ready upon the pistol or the rapier, as his eloquence was quick, ardent, and overwhelming in the House. Dissensions had sprung up between the national leaders, and if these differences should increase, the cause of Ireland was lost—for who, without a party at his back, save one young and dauntless, with fame to make, could beard that terrible Castlereagh, with his cold, keen sneer, his unchanging enmity to a foe, and his unflinching, sterling, undoubted personal courage. To encounter Castlereagh, a common bully, such as Egan, was useless—Castlereagh would meet him as readily as could be desired ; but what Castlereagh could not endure was an opponent who possessed the ability to launch against him before the eager House, all the scathing scorn, contempt, and insult, that invective, “in order,” and made irresistible by the support of facts, could express. Such an ally as this was Plunket, when he entered Parliament as Member for the borough of Charlemont.

He was one of those who with Grattan, Bushe, Wallace, Smily, and Goold, contributed to the weekly organ of the nationalists, entitled *The Anti-Union*, and as a specimen of the style of political writing in vogue at this period, we insert the following extract from his letter, signed “Sheelagh,” which appeared in the third number of that journal, Tuesday, January 1st, 1799. The letter purports to be written by a young girl named Sheelagh, who is about to be married, against her will, to a Mr. Bull. Sheelagh is Ireland, Mr. Bull, England, and the marriage, the proposed Union, and the entire letter is conceived in a humorous and ironical style, worthy of Swift. After detailing the many schemes employed, and slanders and falsehoods circulated by the friends of Bull, to blast her character, and thus in fact compel her to unite her fortunes with those of her detested suitor, she continues :—

“But, sir, conceive, I beg of you, the ridiculousness of this overture. I to marry Mr Bull! Mr Bull, whom, in the year 1783, when he was tolerably vigorous, and reasonably wealthy, and well reputed, I would have rejected with contempt! Mr Bull, now that he has had repeated fits of the falling sickness, and that a commission of bankrupts is ready to issue against him!—I could not have believed the proposal serious, if the old gentleman himself had not gravely avowed it. Hear, I beg of you, the inducements which he holds out to me. There is to be no cohabitation, for we are still to continue to live on

different sides of the water—no reduction of expenses, for our separate establishments are still to be kept up—all my servants to be paid by me, but to take their orders from him—the entire profits of my trade to be subject to his management, and applied in discharge of his debts—my family estate to be assigned to him, without any settlement being made on me or my issue, or any provision for the event of a separation. He tells me, at the same time, that I am to reap great advantages, the particulars of which he does not think proper to disclose, and that, in the mean time, I must agree to the match, and that a settlement shall hereafter be drawn up agreeable to his directions, and by his lawyers. This, you will say, is rather an extraordinary *carte blanche*, from an insolvent gentleman, passed his grand climacteric, to a handsome young woman of good character and easy circumstances. But this is not all; the pride of the negotiation is equal to its dishonesty, for, though I am beset and assailed in private, and threatened with actual force if I do not consent to this unnatural alliance, yet, in order to save the feelings of the Bull family, and to afford the pretext for an inadequate settlement, I am desired, in despite of all maiden precedent, to make the first public advances, and to supplicate, as a boon, that he will gratify my amorous desires, and condescend to receive me and my appurtenances under his protection. Still one of the principal features of this odious transaction remains to be detailed; would you believe it, that this old sinner, several years ago, married a lady,* who, though of harsh visage and slender fortune, was of honourable parentage and good character, and who is, at this hour, alive, and treated by him with every mark of slight and contumely—and it is worthy of observation, that many of the clauses in the articles, which were very carefully drawn up previous to his marriage with this lady, have been scandalously violated by him."

These were effective arguments, clothed in an admirably adapted style, and in the House Plunket was equally successful. Truly he was, as Curran designated him, the Irish Gylippus, in whom were concentrated all the energies and all the talents of his country. He was not a Grattan, a Curran, a Bushe, a Flood, but he was so keen, so ready, so vigorous, so demonstrative, so unlike any one distinguished man of the time, and yet so completely the equal of each, that none compared him to, or measured him by the same standards as those of the other champions of the Irish Independence. The first question worthy of his ability on which he addressed the House, was that momentous one—The Union.

Defeated in their first effort at denationalization, the Government party determined to succeed in their second attempt against the existence of the Irish Legislature. Every art that could corrupt, every bribe that could seduce, was employed; and Castlereagh, like Milton's Lucifer, would ruin

* This reference to the Scottish Union is a capital hit.

that honor which he himself had lost, and the possession of which, by others, formed a canker to his peace.

These arts, and these bribes, were thus, in the second Union debate, laid bare by Plunket:—

“The public will not easily forget that memorable day, when the usher of the black rod was stationed within the doors of the commons, to watch the instant at which the houses assembled. The public will not easily forget the indecent precipitation with which the message from the throne was delivered, without allowing time even for the ordinary vote of thanks to you, Sir, for your conduct in that chair.—They will not easily forget, not the absence, but the disgraceful flight, of the minister of the country, to avoid the exposure and the punishment of guilt. When the functions of this house were thus superseded, his excellency, for the first time, thought proper to inform them of the resolutions of the British Parliament; and he was further pleased to insinuate, that it would be a great satisfaction to him in his old age, if we would be so good as to adopt this measure of an incorporating union. I must for one beg to be excused from making quite so great a sacrifice, from mere personal civility, to any lord-lieutenant, however respectable he may be. The independence of a nation, I must own, does not appear to me to be exactly that kind of bagatelle, which is to be offered by way of compliment, either to the youth of the noble lord who honours us by his presence in this house, or to the old age of the noble marquis, who occasionally sheds his setting lustre over the other: to the first I am disposed to say, in the words of Waller—

‘I pray thee, gentle boy,
Press me no more for that slight toy’—

and to the latter, I might apply the language of Lady Constance—

‘That’s a good child—go to its grandam—give grandam kingdom—and its grandam will give it a plum, a cherry, and a fig—there’s a good grandam’—

I hope, therefore, Sir, I shall not be thought impolite, if I decline the offer of the constitution of Ireland, either as a garland to adorn the youthful brow of the secretary, or to be suspended over the pillow of the viceroy. Thus ended that never-to-be-forgotten session. What has since been done? During the whole interval between the sessions, the same bare-faced system of parliamentary corruption has been pursued—dismissals, promotions, threats, promises—in despite of all this, the minister feared he could not succeed in parliament, and he affected to appeal to what he had before despised, the sentiment of the people. When he was confident of a majority, the people were to be heard only through the constitutional medium of their representatives; when he was driven out of parliament, the sense of the people became every thing. Bribes were promised to the catholic clergy—bribes were promised to the presbyterian clergy—I trust they have been generally spurned with the contempt they merited. The noble lord understands but badly the genius of the religion in which he was educated—you held out hopes to the catholic body, which were never intended to be gratified; regardless of the disappointment,

and indignation, and eventual rebellion, which you might kindle—regardless of every thing, provided the present paltry little object were obtained—in the same breath you held out professions to the protestant, equally delusive; and having thus prepared the way, the representative of majesty set out on his mission, to court his sovereign, the majesty of the people. It is painful to dwell on that disgraceful expedition—no place too obscure to be visited—no rank too low to be courted—no threat too vile to be refrained from—the counties not sought to be legally convened by their sheriffs—no attempt to collect the unbiassed suffrage of the intelligent and independent part of the community—public addresses sought for from petty villages—and private signatures smuggled from public counties—and how procured? By the influence of absentee landlords; not over the affections, but over the terrors, of their tenantry, by griping agents and revenue-officers—and after all this mummery had been exhausted, after the lustre of royalty had been tarnished by this vulgar intercourse with the lowest of the rabble, after every spot had been selected where a paltry address could be procured, and every place avoided, where a manly sentiment could be encountered, after abusing the names of the dead, and forging the signatures of the living, after polling the inhabitant of the gaol and calling out against the parliament the suffrages of those who dare not come in to sign them till they had got their protections in their pocket, after employing the revenue officer to threaten the publican that he should be marked as a victim, and the agent to terrify the shivering tenant with the prospect of his turf-bog being withheld, if he did not sign your addresses, after employing your military commanders, the uncontrolled arbiters of life and death, to hunt the rabble against the constituted authorities, after squeezing the lowest dregs of a population of near five millions, you obtained about five thousand signatures, three-fourths of whom affixed their names in surprise, terror, or total ignorance of the subject; and after all this canvass of the people, and after all this corruption wasted on the parliament, and after all your boasting that you must carry the measure, by a triumphant majority, you do not dare to announce the subject in the speech from the throne. You talk of respect for our gracious sovereign—I ask what can be a more gross disrespect than this tampering with the royal name—pledged to the English parliament to bring the measure before us at a proper opportunity—holding it out to us at the close of the last session, and not daring to hint it at the beginning of this?—Is it not notorious why you do not bring forward the measure now? Because the fruits of your corruption have not yet blossomed, because you did not dare hazard the debate last session, in order to fill up the vacancies which the places bestowed by you, avowedly for this question, had occasioned, and because you have employed the interval in the same sordid traffic, and because you have a band of disinterested patriots waiting to come in and complete the enlightened majority, who are to vote away the liberties of Ireland.”

Great in his cool, unyielding, desperate resolve, Castlereagh was determined that no obstacle should stay the fulfilment of his

will. Baffled in the hope of preserving Ireland's Parliament, Plunket thundered against its bold betrayer all that fierce invective which told so effectually in the Irish Commons. One can fancy Castlereagh surrounded by the men he had bought, and whom he despised, wincing beneath such scathing sarcasm as this comparison, drawn between his character and that of William Pitt.

"The example of the prime minister of England, inimitable in its vices, may deceive the noble lord. The minister of England has his faults; he abandoned in his latter years the principles of reform, by professing which he had obtained the early confidence of the people of England, and in the whole of his political conduct he has shown himself haughty and intractable; but it must be admitted that he has shown himself by nature endowed with a towering and transcendent intellect, and that the vastness of his moral resources keeps pace with the magnificence and unboundedness of his projects. I thank God, that it is much more easy for him to transfer his apostacy and his insolence, than his comprehension and sagacity; and I feel the safety of my country in the wretched feebleness of her enemy. I cannot fear that the constitution which has been formed by the wisdom of sages, and cemented by the blood of patriots and of heroes, is to be smitten to its centre by such a green and limber twig as this."

The covert sarcasm of these last words was terrible, but the application was easy to all present. The House was densely thronged; Lady Castlereagh, in all her radiant beauty, was there, but, though some years married, she had borne no children, and the words, "green and sapless twig," struck home to Castlereagh's heart with double force.*

Again, Plunket thus shows the qualities of good and evil, as marking the character of the Minister:—

"Sir, I confess I did at one time rejoice in the appointment of the noble lord, to the administration of this country. When I perceived that wicked and destructive measures were in agitation, I rejoiced that an impotent and incapable instrument was selected for their execution: but I have ceased to entertain that feeling, because, though I am as well convinced as I am of my own existence that he never can accomplish his measure, I see by woeful experience that he may do infinite mischief in attempting it. Sir, there are no talents too mean—there are no powers too low for the accomplishment of mischief—it is the condition of our nature—it is part of the mysterious and inscrutable dispensation of Providence, that talent, and virtue, and wisdom, are necessary for the achievement of

* When Teeling's mother implored mercy for her son, and when it was refused by Castlereagh, she said,—“But you cannot understand me, you have no child.”

great good ; but there is no capacity so vile or so wretched as not to be adequate to the perpetration of evil."

Against Castlereagh, and against his policy, all efforts were vain, and the Act of Legislative Union was passed.

Plunket was anxious to become a Member of the United Parliaments, but having unsuccessfully contested the representation of Trinity College, he retired for a time from public life, and devoted himself to the practice of his profession.

His reputation as a lawyer was high, and as an advocate his ability was undoubted ; and when, in the year 1803, Robert Emmett was tried for High Treason, Plunket was selected as one of the counsel for the Crown. He had been intimate with many of the United Irishmen, in 1798, and had, with Curran, defended Henry Sheares, when tried in the July of that memorable year. He had said jocularly to Tone, as a knot of young barristers lounged in the hall,—“ Well, Tone, remember all I ask of you is Carton,”—referring to the promised spoliation of the aristocracy in the projected revolution. A member of the Beresford family happened to stand by Plunket's side at the moment—and Tone replied, “ No, Plunket, the Duke's my friend ; but I promise you Curraghmore.”*

From this fact of a common acquaintanceship, it has been frequently asserted that Plunket was intimate with most of the United Irishmen, that he was the friend of Emmett, and terrible slanders have arisen from this erroneous report. Emmett, as most of our readers are aware, was tried in the year 1803, and they know that Lord Kilwarden was murdered by one of the insurgents.

The out-break was, doubtless, an atrocious folly. Men had still faint hopes that Pitt's promise of Catholic Emancipation

* This seat and estate of the Waterford family appears to have been specially marked out for plunder by the rebels of all times. In the town of Carrick-on-Suir, in the month July, 1848, shortly before the Ballin-garry riot, half-a-dozen butchers were overheard arranging the portions they should select from the Curraghmore and Bessborough properties. It appears that all was, in fancy, disposed of, and one of the party found himself not quite so well provided for as his fellow patriots, but he suddenly exclaimed—“ Never mind, a piece of Curraghmore isn't bad, an' if I'm short, be cripes, I'll take the Marchioness”—he alluded to *Lady Waterford*. Those who knew the country, from Waterford to Clonmel, and from Dungarvan to Mulinahone, in the summer of 1848, will not consider that we at all exaggerate—we really state a simple fact.

might yet be fulfilled; all true lovers of the country were desirous that the bloody events of 1798 should be forgotten—and all felt that Emmett, by his insane, vaporing riot had retarded the fruition of the dearest wishes of the national party. Plunket was indignant, and was, perhaps, not inclined to spare the feelings, or to favor the escape of one who had, whilst risking his own life, perilled and injured the prosperity and peace of the country. Emmett, it is known, called no witness for the defence; indeed it would have been useless to attempt the denial of his guilt,* but it was hoped that under these circumstances the Crown Counsel would not, a second time, appeal to the jury. This expectation was not fulfilled; the Attorney-General, O'Grady, afterwards Lord Guillemore, addressing the Court said:—

“My Lord—We feel that stating a case, and observing upon it, are different duties. I have had the burthen upon me of stating the case for the Crown. The prisoner declining to go into any case wears the impression that the case on the part of the Crown does not require any answer—that is the most charitable way of considering his conduct, and therefore it is at *my particular desire* that Mr. Plunket rises to address the Court and Jury upon this occasion.”†

Plunket spoke vigorously, and warmly—that is, he discharged his duty to the Crown, and to the country. From his speech we extract the following passages, and the reader must bear in mind that Emmett had endeavoured to create a complete revolution, and that a most estimable judge had been murdered by one of the prisoner's party.

Plunket asks:—

“For God's sake, to whom are we called to deliver up, within fourteen days, all the advantages we enjoy? Who are they who claim the obedience? The prisoner, as the principal. I do not wish to say anything harsh of him—a young man of considerable talents, if used with precaution, and of respectable rank in society, if content to conform to its laws. But when he assumes the tone and manner of a legislator, and calls on all ranks of people, the instant the pro-

* He knew this. “When Burrowes, too, was about to avail himself of the privilege of reply (wearied to death with anxiety, and feeling both the painfulness and inutility of what he was about to do,) Emmett said, ‘Pray do not attempt to defend me; it is all in vain;’ and Burrowes accordingly desisted.” This is the statement of the late Peter Burrowes, made the 3rd September, 1830, to Moore. See “Memoirs, Journal and Correspondence of Thomas Moore”—Vol. VI. p. 134.

† See Howell's “State Trials.” Vol. XXVIII. p. 1258.

visional government is proclaimed, to yield to it the whole constituted authority, then it becomes an extravagance bordering on frenzy. We who have lived under a king, not only *de facto*, but *de jure*, in possession of the throne, are called on to submit ourselves to the prisoner—to the vagrant politician, the bricklayer, the baker, the old clothes-man, and ostler. These are the persons to whom this proclamation, in its majesty and dignity, calls upon a great people to yield up obedience, and a powerful government to give a prompt, manly, and sagacious acquiescence to their just and unalterable determination.

"I do not wish to awaken any remorse, except such as may be salutary to himself and his country, in the mind of the prisoner; but when he reflects that he has stooped from the honourable situation in which his birth, talents, and education placed him, to debauch the minds of the lower orders of ignorant men with the phantoms of liberty and equality, he must feel that it was an unworthy use of his talents—he should feel remorse for the consequences which ensued, grievous to humanity and virtue, and should endeavour to make all the atonement in his power, by employing the short time which remains for him in endeavouring to undeceive them."

And he thus concludes:—

"Gentlemen, I am anxious to suppose the mind of the prisoner recoiled at the scenes of murder which he witnessed, and I mention one circumstance with satisfaction—he saved the life of Farrel—and may the recollection of that one good action cheer him in his last moments! But though he may not have planned individual murders, that does not justify treason, which must be followed by every species of crime. Let loose the rabble from the salutary restraints of the law, and who can take on him to limit their barbarities? Who can say he will disturb the peace of the world, and rule it when wildest? Let loose the winds of heaven, and what power less than the Omnipotent can control them? So it is with a rabble. What claim, then, can the prisoner have on the compassion of a jury, because in the general destruction his schemes necessarily produced, he did not meditate individual murder? I trust that the blood which has been shed in the streets and on the scaffold will not be visited on the head of the prisoner. It is not for me to say what are the limits to the mercy of God, or what a sincere repentance may effect; but I do say, that if this unfortunate young man retain in his heart any of the seeds of humanity, he will make an atonement to his God and country by warning his deluded countrymen."

It has been frequently said that Plunket was the friend of Emmett, but in this there is no truth; he had met, as he proved, a brother of Emmett's some years before, at a public entertainment, but beyond this meeting he had no knowledge of any of the family, and was a stranger to the prisoner. Some short time after Emmett's execution, Cobbett, then beginning his career of lying and abuse, published, in his *Regis-*

ter, a garbled report of Emmett's speech in the dock, of which powerful address the convicts Mitchel and Meagher gave such ludicrous travesties in the year 1848 ; and in this speech, as printed by Cobbett, the following passage appeared, referring to Plunket :—

“That viper whom my father nourished. He it was from whose lips I learned those principles and doctrines which now drag me to my grave. He it is who is now brought forward as my prosecutor, and who by an unheard of exercise of the prerogative has wantonly lashed with a speech to evidence the dying son of that former friend—when that dying son had produced no evidence, and had made no defence, but on the contrary, had acknowledged the charge, and submitted to his fate.”

Plunket brought an action for libel against Cobbett, which was tried in London, before Lord Ellenborough and a Special Jury ; Erskine was counsel for Plunket, and made a very able and eloquent speech : the jury returned a verdict for the plaintiff, with £500 damages.

Peter Burrowes, who defended Emmett, explained the whole secret of this “viper” libel to Thomas Moore, just twenty-eight years after the event. On the 16th day of February, 1831, Moore was in Dublin, and wrote in his *Diary* :—

“Went to Milliken's, and had some conversation with Curran and Peter Burrowes about young Emmett, and the part Plunket took on his trial. Burrowes seemed to be decidedly of opinion that Plunket could not have refused the brief of Government, though he might have avoided, perhaps, speaking to evidence ; almost immediately after, too, Plunket came into place. It was not true, (I think he said) that Plunket had been acquainted with young Emmett. The passage in the printed speech of Emmett where he is made to call Plunket ‘that viper, &c.,’ was never spoken by Emmett, and the secret of its finding a place there was owing, Curran said, to the following circumstance. The person who took down the speech at the trial was, I think, M'Nally, the son of the barrister, and he had afterwards some conversation with Emmett in the prison. It was during that conversation that Emmett, in speaking of Plunket, used these expressions, which M'Nally introduced subsequently in the speech.”*

* See “Memoirs, Journal and Correspondence of Thomas Moore,” Vol. VI. 172. It should be stated that Burrowes had appeared, in the Irish Courts, to support Plunkett's application for a criminal information against certain parties in Ireland for publishing the speech.

Cobbett appears never to have forgiven or forgotten Plunket's vindication of himself. In the year 1833, when the Reform agitation was convulsing the kingdoms, he recalled Plunket's speech, made before the passing of the Act of Union, and contrasted his threat there made, that he would swear his children to perpetual hostility to England, upon the altar of their country, should the measure receive the sanction of the majority, with the position which he then held, as an opponent of reform; and when Cobbett cried, in his loud, roaring, and most bullying tone, "There's a pretty Hannibal for you!" he pretended to forget that Plunket had had the example of almost every distinguished opponent of The Union to countenance his acceptance of office, and that the Reform Bill Cobbett's friends required, was likely to produce insatiable demands, which might eventually lead to the disruption of the social harmony, and general policy, of the Kingdoms

Emmett felt that the government had treated him neither cruelly nor harshly. Upon the morning of his execution he wrote the following letter, to the Right Honorable William Wickham, who held the office of Chief Secretary, under Lord Hardwicke's Viceroyalty. Had Plunket been so forgetful of former friendship, as to become the virulent persecutor of his former associate, Emmett would, doubtless, have referred to the scoundrelism of the deed; but as Plunket never was his associate, and merely performed his duty as Crown Counsel, honestly, eloquently, and constitutionally, Emmett makes no reference to him, but writes:—

"Sir—Had I been permitted to proceed with my vindication, it was my intention not only to have acknowledged the delicacy with which, I feel with gratitude, I have been personally treated, but also to have done the most public justice to the mildness of the present Administration of this country, and at the same time to have acquitted them, as far as rested with me, of any charge of remissness in not having previously detected a conspiracy, which from its closeness I know it was impossible to have done. I confess that I should have preferred this mode had it been permitted, as it would thereby have enabled me to clear myself from an imputation under which I might in consequence lie, and to have stated why such an *administration* did not prevent, but under the peculiar circumstances of the country rather accelerated, my determination to make an effort for the overthrow of a *government* of which I did not think equally high. However, as I have been deprived of that opportunity, I think it right now to make an acknowledgement which justice requires of me as a man, and which I do not feel in the least derogatory from my decided principles as an Irishman.—I am, &c.,

"H. ROBERT ADDIS EMMETT."

After Emmett's trial Plunket applied most assiduously to his profession. Official position was open to him, and, under the Viceroyalty of Lord Hardwicke, his friend Bushe* had accepted the Solicitor-Generalship. Plunket, however, would not take office under any Minister save one with whose principles he held full unison and complete concurrence. He was not an independent man in purse. He had married, in the year 1791, Catherine, daughter of John M'Causland, Esq., of Strabane, and a large family was springing around him. But he hoped for other times, when friends might be in power, and when he might, without compromise of principle, accept some post worthy of himself and advantageous to the country.

At length "All The Talents" came into office, and on the fifth of November, 1805, and under the Viceroyalty of the Duke of Bedford, Bushe continued Solicitor-General, and Plunket was appointed Attorney-General, and obtained a seat in Parliament; but upon the dissolution of the Grenville Ministry, in the year 1807, he resigned his post as Attorney-General, although Lord Grenville requested that he would not consider the claims of party as at all demanding the resignation, and although Bushe retained his Solicitor-Generalship, under Saurin. He seems to have felt some disappointment at Bushe's retaining office, and on one occasion, shortly after his resignation, being absent from Court during the hearing of a case in which he was counsel, the Judge asked Bushe the cause of his friend's non-appearance. There were, at the period, certain government negotiations carried on, in which Plunket was supposed to be interested, and referring to this report, Bushe replied, "I suppose, my Lord, he is *cabinet-making*." Upon Plunket's entrance the joke was mentioned to him, and he said, "I assure your Lordship, I am not so suited for *cabinet making* as my learned friend—I was never either a *joiner* or a *turner*."

Plunket, having resigned his office, retired from Parliament, as his circumstances were not sufficient to warrant a continued absence from the Courts. But, during his short career in the House, he had distinguished himself as a Parliamentary orator, and in evidencing what Canning called, "the commanding energy of Plunket," he proved he was not open to Grattan's beautiful admonition to Flood, that he should pause ere he risked his reputation in the Imperial Parliament, "An oak of the

* For a Memoir of Bushe, see IRISH QUARTERLY REVIEW, Vol. III. No. 9, pp. 51 to 120.

forest was too old and too great to be transplanted." He spoke upon the Catholic Relief question, and placed his name amongst the first orators of Parliament. "For the mischief created by the 'No-Popery' cry," said Whithead, in the debate on the Catholic question, May 25th, 1808, "we have the authority of a learned friend of mine, who is no longer a member of the House, but who lately was a member of it, and whose splendid eloquence at once convinced and delighted us. I speak of Mr. Plunket, whose speech upon that subject in the House will never be forgotten."

Plunket retired from Parliament, and resigned the Attorney-Generalship with honor to himself. He abandoned his office although two influential friends of the government requested he would retain it, stating that he would be at liberty to vote as he pleased; by his resignation he sacrificed over £100,000; but, as Henry Grattan said, he was as "distinguished for legal constitutional knowledge, as for a contempt of salary, equal to a regard for law," and would not continue in office under any administration refusing to entertain the question of Catholic Emancipation.

In the year 1812, Doctor Patrick Plunket died, and bequeathed a large sum of money, about £60,000, with his valuable library, to his brother.*

Plunket was now in a position to return to Parliament without injury to his family; we find that he re-entered shortly after the death of his brother, and, in the year 1813, delivered one of the most powerful speeches ever spoken in the English Commons. The debate was that on the Catholic Question, and Plunket seems to have looked upon the occasion as one eminently suited for the display of all his ability. Canning and Grattan might excel him, but the former was not always perfect, and the fire of Grattan's genius was flickering. Brougham was not in Parliament, Peel was only a clever young debater, with something of official priggishness about him, and Plunket burst upon the House with an electric effect. The style was not Irish, like Grattan's; it was not brilliant, like Sheridan's,—it was not like any effort which the House had been accustomed to consider effective.

As Plunket's speech upon the Catholic Question, delivered in 1821, is superior even to this now before us, we shall only insert an extract from the latter, in which he describes his ideal of a Church:—

* Doctor Plunket had married Miss Henry, of Straffan, a connection of the Hastings family.

"Sir, religion is degraded when it is brandished as a political weapon, and there is no medium in the use of it : either it is justified by holy zeal and fervent piety, or the appeal to it becomes liable to the most suspicious imputation. Sir, I consider the safety of the state as essentially interwoven with the integrity of the establishment. The established religion is the child of freedom. The reformation grew out of the free spirit of bold investigation ; in its turn it repaid the obligation, with more than filial gratitude, and contributed, with all its force, to raise the fabric of our liberties. Our civil and religious liberties would each of them lose much of their security, if they were not so deeply indented each with the other. The church need not be apprehensive. It is a plant of the growth of three hundred years ; it has struck its roots into the centre of the state, and nothing, short of a political earthquake, can overturn it : while the state is safe it must be so ; but let it not be forgotten that, if the state is endangered, it cannot be secure. The church is protected by the purity of its doctrines and its discipline ; the learning and the piety of its ministers ; their exemplary discharge of every moral and christian duty ; the dignity of its hierarchy, the extent and lustre of its possessions, and the reverence of the public, for its ancient and unquestioned rights ; to these the Catholic adds the mite of his oath that he does not harbour the chimerical hope, or the unconstitutional wish, to shake or to disturb it : and therefore, all which is requisite, for the security of the church, is that it should remain, in repose, on its own deep and immoveable foundations ; and this is the policy which the great body of the church of Ireland, and, I believe I may add, of the church of England, have adopted. If anything could endanger its safety, it would be the conduct of intemperate and officious men, who would erect the church into a political arbiter, to prescribe rules of imperial policy to the throne and to the legislature."

All who are acquainted with political history know, that during the latter years of Buonaparte's career, there was a body of men in England who rejoiced in every success of that extraordinary being ; and there was a class of writers too, who endeavoured to impress the public mind with a belief that all our assistance to Spain and Portugal was injurious to our interests, and served but to render the French Emperor more determinedly our enemy. *The Edinburgh Review* was frequently a partizan of this class of politicians, and its un-English tone was powerfully attacked by Southey, and others, in *The Quarterly Review*. The chief folly of this party was exhibited in the debates upon the renewal of the war in 1815. Canning, Grattan, Plunket, all who really saw the danger of England, were for war ; yet Lord Grey, with a species of cowardice unworthy of his name, implored the Lords to trust to anything rather than the sword. But the nation was English then in its op-

position to Buonaparte, as it is now in its hostility to Nicholas ; and in stating his own reasons for supporting the war party, Plunket but spoke the feeling of the people, when he said :—

“ Supposing that any nation should in time of peace, put itself into an extraordinary state of preparation for war ; if that nation should organize itself in such a manner as to be perpetually prepared for commencing offensive war—if that nation should embody itself under the command of a military chief of great talent and experience in the art of war—if for fifteen years Europe had experienced that the efforts of that nation were uniformly directed to aggression, conquest, and spoliation—if Europe had been obliged, in self-defence, to carry its arms into the heart of that country—if that country was taken—if the conquerors in their magnanimity and moderation offered a peace which was accepted with gratitude—if that Treaty was accepted with gratitude by that individual who had abdicated the throne, and if after ten months, that guilty individual was to be recalled by a licentious soldiery, for the purpose of fresh aggression—am I then to be told in this House, that neither we nor the other nations of Europe have any right of interference with the internal arrangements of such a nation ? How does it happen that the just and legitimate sovereign of France has been driven from his throne ? It is because his unambitious virtue made him appear to the soldiery, not to be a proper instrument to wield the unsocial and unnatural energies of the French Empire. If it be said that personal character had nothing to do with the question, I shall ask why was the Treaty of Paris ever entered into ? That Treaty turned entirely on personal character, and these stipulations were considered satisfactory when made with the lawful sovereign of France, that would not have been entered into with Buonaparte. If we are to take the common feeling of mankind upon this subject, we must recollect how universally the abdication of Buonaparte was hailed in this country, as an event more important than the most brilliant victories. Our question is not now merely with Buonaparte, but it is with France. She has purchased the benefits of the Treaty of Paris, by giving up Buonaparte, and taking her lawful sovereign, in whom Europe has confidence. If we are now to declare that we are now ready to treat with Buonaparte, it will at once put an end to the coalition. If we are to tell the French people that we are ready to negotiate with Buonaparte, as their ruler, it will at once destroy all the hopes that may now fairly be entertained of the co-operation of a considerable portion of the nation. When, however, we see the situation in which Buonaparte now stands ; when we see him reduced to make professions contrary to his very nature ; *when we see the vessel in which his fortunes are embarked, laboring with the storm, and its mast bowed down to the water's edge, it is the height of impolicy and absurdity to hesitate on the course that we have to pursue.*”

Plunket's speech on this occasion marked him out for Caning's friendship, and its results were evident some few months later.

Although attentive to his Parliamentary duties, Plunket did not neglect his profession, and when, in the year 1816, the celebrated case of *The King v. O'Grady* was argued, Bushe and Saurin were for the Crown, and Plunket and Burton for O'Grady. The real fact at issue was, whether the right of appointment to the office of Clerk of the Pleas, in the Irish Court of Exchequer, lay in the Crown or in the Chief Baron.

Bushe made a very admirable speech;* but we merely introduce the case here, for the purpose of quoting Plunket's ironical reply to Bushe. It affords an excellent specimen of his dry, keen humor:—

“The Solicitor-General says this is not a judicial act. His words are:—‘It is alleged that the admission of the defendant is their judicial determination upon the qualification of the officer, and the legality of the appointment. I wrote down the words; I would not trust to my memory, when my memory was called upon to preserve what disgusted my feelings, and revolted against my understanding.’ Such are the words of my learned friend. And then passing upon me some most extravagant compliments, which no man can suppose I would be such an egregious dupe of inordinate vanity to receive as merited, he calls upon me to step over to Westminster Hall, and to desire the House of Commons to decide whether this was a judicial act or not. And if, under the influence of this extravagance of praise, my head were to be so completely turned that I should actually go to St. Stephen's Chapel for the purpose, he then tells me, that ‘the very monuments would yield up their illustrious dead; and the shades of Mansfield and of Somers, of Holt and of Hale, would start from their tombs to rebuke the atrocious imputation.’ If I had been such a madman as to adopt the suggestions of my learned friend, and introduce in such a place the descriptions of a legal point depending in the Court of King's Bench in Ireland, the shades of those illustrious persons, if they had any taste for the truly ridiculous, might have stepped down to amuse themselves by seeing an Irish lawyer performing the part of Malvolio, cross-gartered and in yellow stockings, the victim of egregious vanity and folly. But if they had thought fit to deny that the swearing in the officer by the Court of Exchequer was a judicial act, I should have prayed in aid the shade of Sir Joseph Jekyll, who calls such an admission, in terms, a judicial act; I should have called on the shades of the learned judges who decided the cases in the Yearbook of 9 Ed. IV. p. 6, in Dyer, 149, a. 150, b. and in 1 Anderson 152. If these venerable spectres had not availed me, I should have called for the substantial assistance of the Solicitor-General himself, who, after a variety of splendid and figurative language, such as the rich imagery of his fancy supplied, ended at last by ad-

* For a portion of this speech, in reply to Plunket's charge of Jacobinism made against the Law Officers of the Crown, see *IRISH QUARTERLY REVIEW*, Vol. III. No 9, p. 79, Art. “Charles Kendal Bushe.”

mitting it to be a judicial act. All these authorities I should have cited to the apparitions of Lord Somers, Lord Mansfield, and Lord Hale. But to Lord Holt I would say, 'You are the most impudent ghost that ever visited the glimpses of the moon, for you yourself did in your life-time the very thing which you now start up to rebuke. My Lords—the Solicitor-General has predicted that my laurels are foredoomed to wither to the root. I do not think I can lay claim to any laurels; and I am conscious that if I ever put forth any leaves, they are already upon the sere. But notwithstanding what has fallen from the Solicitor-General, I believe he would be disposed rather to regret their fall, than to rejoice at any untimely blight which stripped them off before their natural decay.'

In the year 1818 the Canningites coalesced with the followers of Lord Grenville, and as Plunket had gratified Canning by his advocacy of the war policy, and had continued a steady and able supporter of the important question, Catholic Emancipation, the united parties were desirous of his powerful aid in the House.

He accordingly contested the representation of Trinity College with John Wilson Croker. The numbers were about equal, and the canvass was anxious and earnest. It was well known that Doctor Sandes, the late respected Bishop of Cashel, could influence many of the voters. He was at this period a Fellow of the University; and when Plunket waited upon him to request his vote and interest, the doctor locked the door and explained to his visitor that he was quite willing to support him; but before he could promise any aid to Plunket, he required a full and clear statement of the facts connected with Emmett's trial, and with Plunket's conduct in the affair of the address to the jury. During an hour Plunket entered into a clear and elaborate explanation,—Doctor Sandes promised him his vote, kept his word, and Plunket was returned by a majority of five.

He entered the House, zealous and anxious to support his old friends and their new allies. The first occasion that arose in which Plunket had an opportunity of distinguishing himself, was the debate on what was called, "The Manchester Massacre," or Massacre at Peterloo, in the year 1819.

He thus explains the reasons which induced him to support the government, and, referring to the abuses of the liberty of the Press, exclaimed,—

"Why do I allude to the public press? Because there is under the same title, another description, a blasphemous, seditious, mischievous, press, of which the Members of this House know but little, but which has been unremittingly at work in destroying every honest and good feeling in the heart of man. It is not against the respectable press, but against this under current, which, setting with great force,

is drifting the great mass of the humbler classes of the community into sedition, atheism, and revolution, that the House ought to guard. It is for the consummation of such atrocious objects that this battery is brought to play upon their passions and their ignorance. Do I mean to say, that the lower classes of the people have no right to be informed on public transactions? Do I mean to say that the lower orders of the people have no right to inquire into and discuss subjects of a political nature? No such thing. Do I mean to say, that they ought not to have the power of expressing their sense of any grievance under which they might think themselves to suffer? Far from it; but when I am willing to allow them the enjoyment of every constitutional privilege, which they are entitled to possess, I never can consider that nice discussions on the very frame of the constitution, or the most essential changes in the institutions and fundamental laws of the country, are calculated for minds of such intelligence and cultivation. They ought rather to be protected from the mischiefs which such a misapplication of their minds must entail. Every capacity is capable of understanding the nature and the extent of the restrictions which government, from the purport of its institutions, necessarily imposed on the natural freedom of man; but to the task of contemplating the more than usurious repayment which in long and various succession is received for that surrender, the generality of persons are not quite so adequate. The penalties of government stand at the threshold, but its benefits are to be traced through a long interval of ages—in the distribution of equal laws—in the control of public wisdom, producing even through apparent contradiction, the grand harmony of the social system—these I conceive are the subjects which cannot be well discussed by men whose time is chiefly directed to daily labour. It has been wisely said, that ‘a little learning is a dangerous thing.’ It is true in literature, in religion, in politics. In literature, superficial reading too frequently forms the babbling critic. In religion, the poor, man, who, unsettled as to his faith, became curious upon his evidences, and who if he possessed the capacity, and had time and means to extend his inquiries, would in the end reach the moral demonstration which religion unfolds—shaken, but not instructed, becomes a shallow infidel. It is equally so in politics; men who indulge in the perusal of every species of invective against the institutions of their country, who read on their shop-boards of all the evils, and do not comprehend the blessings of the system of government under which they live, these men, the nature of whose employment, and whose education disallows them to be statesmen, may, however, learn enough to become turbulent and discontented subjects.”

This most powerful speech was received by the Canningites with unbounded approbation; but as it seemed to support the arbitrary power of the Crown, Lord Grey, and many of his party were enraged, and his lordship characterized the speech as exhibiting more than the zeal of an apostate. That it saved the Government cannot be denied: Lord Ward wrote to his friend, the Bishop of Llandaff, and, referring to Plunket's efforts,

observed :—"By the bye he has cut a great figure this year—his speech in answer to Mackintosh was amongst the most perfect replies I ever heard. He assailed the fabric of his adversary, not by an irregular damaging fire that left parts of it standing, but by a complete rapid process of demolition, that did not let one stone continue standing on another."

In the year 1821, the Catholic Question was brought—once more—before Parliament, and on this occasion Plunket surpassed every former effort : his speech is perhaps finer, more perfect, more furnished than even his best addresses to the Irish Commons ; and it is worthy of remark, that he was obliged to adapt his style to an audience very different from that to which in Ireland his arguments had been directed. When he began his Irish career he had merely his own countrymen to address, but now all were strange, and to preserve his reputation as an orator, he was bound to exceed the best speeches of Grattan, of Canning, and of Brougham; and nobly, dauntlessly did he apply himself to secure success in this achievement. His eloquence swelled to the highest range of thought ; his language was the most accurate and perfect; his arguments were the most irresistible, and when he resumed his seat, amidst the applause of the House, he had delivered the most powerful speech of the era in which he lived, and by its irresistible force had gained nine hostile votes to the support of the great question under discussion.

From this speech we insert the following : he is referring to *The Test Act*, and continues :—

"How was this act disposed of at the period of the Union with Ireland? It was allowed to continue until the United Parliament should take that subject into their consideration. I this night most seriously call upon that United Parliament to direct attention to its consideration. Backed by the original principles of the constitution, by the object and scope of the course of our history from the Reformation to the Revolution—backed by the concurrent declaration of the legislatures of England and Scotland on the first Union, and of the legislatures of England and Ireland on the last,—backed by the unimpeached loyalty, the unquestionable integrity of our Catholic fellow subjects recorded in the enactments of the Legislature, and guaranteed by their own oaths—backed by the numerous concessions of the last fifty years—by that spirit of Catholic conciliation which presided during the late reign, and which, if the arguments in favour of exclusion were at all tenable, would have been so many outrages on the principles of the Constitution—backed by the memories of the great lights and ornaments of that reign, of Dunning, Pitt, Fox, Burke, Sheridan and Windham—backed, I say, by the name of every

man who possessed buoyancy enough to float down the stream of time;—I feel that I have made out—I had almost said that I have established—the position that I sought, triumphantly. But when I look around me, and reflect on those whom I miss, and who were present when I last had the honour of addressing the House on this question, I am checked. When I reflect that since that period we have lost Whitbread, the incorruptible sentinel of the Constitution—that we have lost the aid of the more than dawning virtues of Horner—that we had then Romilly, whose mature excellencies shed a steady light on his profession, on his country, and his nature—that Elliot, the pure model of aristocracy—that the illustrious Ponsonby, the constitutional leader of the ranks of Opposition in this House, revering alike the privileges of the Crown and the rights of the subject,—are no more:—but above all, when I dwell upon that last overwhelming loss—the loss—the loss of that great man in whose place I this night unworthily stand; and with the description of whose exalted merits I would not trust myself;—God knows I cannot feel anything like triumph! Walking before the sacred images of these illustrious dead, as in a public and solemn procession, shall we not dismiss all party feeling, all angry passions, and unworthy prejudices? I will not talk of triumph; I will not mix in this act of public justice, any thing that can awaken personal animosity. I do submit, however, that I have established the point with which I started. I believe that many members are present who have never by their vote given an opinion upon this subject; many who have entered the House, anxious to be informed, and, if not deterred, to render justice if justice shall appear to have been withheld. I trust that they will not allow themselves to be dictated to by any man who may get up and assail their ears with such phrases as, ‘the glorious principles of the Constitution’—‘the sacred principles of the Reformation,’ without showing that they have either been infringed or violated. Will they not require that these historical facts should be met and disproved by historical facts? Are the Catholics to be dismayed by one who gives them words instead of reasons, and who deals in gratuitous assertions instead of substantial arguments.”

In another section of his speech he exclaimed:—

“I would unite the Catholic by every affection and by every good feeling of his nature—by every motive that can operate upon his heart and head—by every obligation that can bind his conscience, and every argument that can convince his understanding, not so much by adding to his power as by removing every offensive exclusion—every unworthy distinction. Now what is the object of the Right Honourable Gentlemen? To leave him as he is. Gracious Heaven! To have the great majority of the people of Ireland bound by every law of nature to aim at the subversion of the state; for to me the subversion of the state is the subversion of the establishment. I do not propose here to strike the shackle from his limbs, for he is free; but to remove the brand from his forehead, for he is stigmatised. I would not have him a marked man and a plotting sectary, but would raise him to the proudest rank that man can attain,—to the rights

and privileges of a free-born subject. Do not, I entreat you, as sincere friends to the Protestant establishment, reject this appeal for justice and grace. Do not drive your Roman Catholic brother from your bar a discontented sectary. Do not tell him who wishes to be a friend, that he is, and ought to be an enemy. The power of all may depend upon their numbers, wealth, professions, upon their interest in commerce and manufactures, and upon their rank in your fleets and armies. These are and have been, the imperishable materials of political power since the foundation of the civilized world; gold and steel are the hinges of the gates of political power, and knowledge holds the key."

The speech excited the admiration of all. Lord Dudley wrote to the Bishop of Llandaff, "I wish you had heard Plunket; he had made great speeches before, but in this he far surpassed them all. I have not heard, for many years, such an astonishing display of talent: his style is quite peculiar—for its gravity and severity, I prefer it to all others of which I ever heard a specimen." Twenty-three years afterwards Peel referred to it in the course of debate, and said; "It stands nearly the highest in point of ability of any I ever heard in this House; combining the rarest powers of eloquence with the strongest powers of reasoning." Old Charles Butler, who had heard the great Lord Chatham, said, "it was never surpassed in the British Senate."

Whilst thus securing his position in Parliament, his reputation at the Bar continued to increase, and men looked upon him as one to whom all the highest offices in the legal profession were open. But amidst his successes domestic grief cast its shadow round him—Mrs. Plunket died on the 14th day of March, 1821, after a happy wedded life of thirty years.

On the 15th of January, 1822, Plunket was once more appointed Attorney General. One of his first official acts was the conducting the prosecution for the Crown, in what is known as the "Bottle-Riot" trial;* or the prosecution of the rioter who, excited by party feeling, in the Theatre Royal hurled a bottle towards the box in which Lord Wellesley, the Viceroy in 1822, was seated. The trial was the trial of a faction rather than of an individual, and the "Orange" and "Liberal" parties were deeply interested in the result. The jury were supposed to lean to the former section, and the chief difficulty Plunket

* Rex v. Forbes and others.

had to surmount, was the suspicion or prejudice which might lurk in their minds against the policy of the Government. Every body knows, that the Glorious, Pious, and Immortal Memory of that great King, William the Third, has been long the charter toast of the Orange party, and Plunket, in endeavouring to gain the good will of the supposed hostile jury, introduced, in his address, the following splendid eulogistic passage, in describing the character of the wonderful man who, as Macaulay writes, at twenty-three years of age "had put domestic factions under his feet; and was the soul of a mighty coalition." Plunket said:—

"There is not perhaps to be found in the annals of history a character more truly great than that of William the Third. Perhaps no person has ever appeared in the theatre of the world, who has conferred more essential and more lasting benefits on mankind: on these countries, certainly none. When I look at the abstract merits of his character, I contemplate them with admiration and reverence. Lord of a petty principality—destitute of all resources but those with which nature had endowed him—regarded with jealousy and envy by those whose battles he fought—thwarted in all his counsels—embarrassed in all his movements—deserted in his most critical enterprises, he continued to mould all these discordant materials, to govern all these warring interests, and merely by the force of his genius, the ascendancy of his integrity, and the immoveable firmness and constancy of his nature, to combine them in an indissoluble alliance against the schemes of despotism, and the universal dominion of the most powerful monarch of Europe, seconded by the ablest generals—at the head of the bravest and best disciplined armies in the world—and wielding without check or control the unlimited resources of his empire. He was not a consummate general. Military men will point out his errors; in that respect fortune did not favor him, save by throwing the lustre of adversity over all his virtues. He sustained defeat after defeat, but always rose, *adversa rerum immersabilis unda*. Looking merely at his shining qualities and achievements, I admire him as I do a Scipio, a Regulus, a Fabius—a model of tranquil courage, undeviating probity, and armed with a resoluteness and constancy in the cause of truth and freedom, which rendered him superior to the accidents which control the fate of ordinary men. But this is not all—I feel that to him, under God, I am at this moment indebted for the rights I enjoy as a subject of these free countries—to him I owe the blessings of a civil and religious liberty, and I venerate his memory with a fervour of devotion suited to his illustrious qualities and his godlike acts."

We consider this character of William the Third in no respect inferior to the eloquent descriptions of the same Monarch given by Hallam and Macaulay: and it proves how eminently

qualified Plunket was to discharge the most important and most difficult duties of his profession.*

From this period, to the year 1827, Plunket's life was unmarked by events either exciting or remarkable. Canning had been his friend during all these years, and when, in 1827, that distinguished statesman became Prime Minister, Lord Lyndhurst was raised to the Chancellorship, and Plunket was nominated to the vacant Mastership of the Rolls, in England. This office, however, Plunket retained not more than two days, and resigned it reluctantly, owing, as Charles Phillips states, "to a cabal which had been raised against him as a stranger. Its members forgot how many Chancellors the English Bar had vouchsafed to Ireland—a few whom it could afford to spare without loss or inconvenience."

He was not, however, completely forgotten by the Minister, and on the 18th of June, 1827, he was elevated to the Chief-Justiceship of the Common Pleas in Ireland, and created Baron Plunket of Newtown, in the county of Cork. He took for his motto, that famous one of Erasmus, *Festina Lente*.

Of Plunket as a man and as a Lawyer, Sheil gives the following account in his *Sketches of the Irish Bar*:—

"Of all the eminent lawyers I have heard, he seemed to me to be the most admirably qualified for the department of his profession in which he shines. His mind is at once subtle and comprehensive: his language clear, copious, and condensed: his powers of reasoning are altogether wonderful. Give him the most complicated and doubtful case to support—with an array of apparently hostile decisions to oppose him at every step—the previous discussion of the question has probably satisfied you that the arguments of his antagonists are neither to be answered nor evaded—they have fenced round the rights of their clients with all the great names in equity—Hardwicke, Camden, Thurlow, Eldon:—Mr Plunket rises: you are deeply attentive, rather from curiosity to witness a display of hopeless dexterity, than from any uncertainty about the event. He commences by some general undisputed principle of law, that seems perhaps at the first view not to bear the remotest relation to the matter in controversy; but to this he appends another and another, until by a regular series of connected propositions, he brings all down to the very point before the Court; and asserts, nay demonstrates, that the Court cannot decide against him without violating one of its most venerated maxims. Nothing can be more masterly than the

* See Hallam's fine character of William the Third—"Constitutional History of England," Vol. II. p. 466. Ed. 1827: see Macaulay's eloquent description of William's character and achievements, "History of England," Vol. II. p. 165; and see *IRISH QUARTERLY REVIEW*, Vol. I. No. 2, pp. 166, 167, where these passages are quoted at length.

manner in which all this is done. There is no ostentation of ingenuity and research. Everything is clear, simple and familiar. You assent without a struggle to each separate conclusion. It is only when you are brought to the ultimate result that you startle at discovering the consummate skill of the logician, who by wily and imperceptible approaches, has gained a vantage point from which he can descend upon his adversaries, and compel them to abandon a position that was deemed impregnable. But Lords Hardwicke, Thurlow, Camden, &c., are said to be against him. The advocate accordingly proceeds to examine each of these authorities in detail—he analyses their language—by distinctions that seems natural and obvious, but which in reality are most subtle, he shows how capable it is of various interpretations—he confronts the construction contended for by conflicting decisions of the same judges on other and similar occasions—he points out unsuspected anomalies that would arise from adopting the interpretation of his adversaries, and equally unsuspected accords with general principles that would follow his own. He thus goes on, until by reiterated processes of matchless sagacity he has either neutralised or absolutely brought over to support himself all the authorities upon which his openents most firmly relied; and he sits down, leaving the Court if not a convert to his opinion, at least grievously perplexed to detect and explain the fallacies upon which it rests. The effect of Mr Plunket's powers is greatly aided by his external appearance. His frame is tall, robust, and compact. His face is one of the most striking I ever saw; and yet the peculiarity lies so much more in the expression than the outline, that I find it not easy to describe it. The features on the whole are blunt and harsh. There is extraordinary breadth and capacity of forehead; and when the brows are raised in the act of thought it becomes intersected with an infinite series of parallel lines and folds. Neither the eyes nor brows are particularly expressive; nor indeed can I say that any of the other features would singly indicate the character of the man, if I except a peculiar muscular largeness and rigidity about the mouth and lips, from which you may collect, that smiling has 'never been their occupation.' The general character of Mr Plunket's countenance is deep seriousness—an expression that becomes more strongly marked from the unvarying pallor that overspreads his features. It is literally 'the pale cast of thought.' Some have accused his physiognomy as being unsocial and austere. To me it appeared that the signs of those qualities have been confounded with the natural and now indelible traces of a grave and vigorous intellect, habitually absorbed in masculine investigations, and preferring to dwell in the midst of its own thoughts. Nor do I find anything repelling in the circumstance that his features seldom descend for a moment from their dignity. Mr Plunket's manner is not rhetorical—it is (what I consider much better) vigorous, natural, and earnest. He has no variety of gesture, and what he uses seems perfectly unstudied. He is evidently so thoroughly absorbed in his subject, as to be quite unconscious that he has hands and arms to manage. He has a habit when he warms, as he always and quickly does, of firmly closing both hands, raising them slowly and simultaneously above his head, and then suddenly striking them down with extraor-

dinary force. The action is altogether ungraceful : but its strength, and I would even add, its appropriateness to the man and to his stern simplicity of character and style, atone for its inelegance. Besides, this very disdain of the externals of oratory has something imposing in it: you are made to feel that you are in the presence of a powerful mind that looks to itself, alone, and you surrender yourself more completely to its guidance from the conviction that no hackneyed artifice has been employed to allure your confidence. Mr Plunket is a memorable, and I believe, a solitary instance of an eminent barrister whose general reputation has been increased by his parliamentary efforts. His speeches on the Union in the Irish House of Commons, raised him at once to the first class of Parliamentary orators. When he was returned by the University of Dublin (in 1812) to the imperial senate, Curran publicly predicted that his talents would create a similar sensation here: I need not add how completely the prophecy has been fulfilled. It would lead me too far to enter into a minute examination of Mr Plunket's parliamentary style and manner; in many points I should have to repeat some of the foregoing remarks. I cannot, however, forbear to observe that his language and views in the House of Commons discover a mind that has thoroughly escaped the noxious influence of his professional habits. He has shown that it is possible for the same person to be a most subtle and dexterous disputant upon a technical subject, and a statesmanlike reasoner upon a comprehensive one. I have thus attempted to present a sketch of this eminent Irishman, in matters of intellect unquestionably the most eminent that now exists. If I intended it to be anything but a hasty sketch, I should feel that I have been unjust to him: some of his powers—his wit and irony for example, in both of which he excels, and his cutting and relentless sarcasm where vice and folly are to be exposed—have been altogether unnoticed; but this is the '*versatile ingenium*,' and in offering the result of my observations upon it, I have been compelled to select rather what I could best describe, than what I most admired; and even if I had succeeded in a delineation of all the powers that raise Mr Plunket above ordinary men, I should have had to add that our admiration of him is not limited by what we actually witness. We speculate upon his great attributes of intellect, and ask, 'what might they not have achieved, had his destiny placed him in the situation most favourable to their perfect developement? If instead of wasting them upon questions of transitory interest, he had dedicated them solely to the purposes of general science—to metaphysics, mathematics, legislation, morals, or (what is but spoken science) to that best and rarest kind of eloquence which awakes the passions only that they may listen to the voice of truth—to what a height and perance of fame might they not have raised him? These reflections perpetually force themselves upon Mr Plunket's admirers: we lament to see the vigour of such a mind squandered upon a profession and a province. We are incessantly reminded, that, high and successful as this career has been, his opportunities have been far beneath his resources, and thus judging him rather by what he could do, than what he has done, we are disposed to speak of him in terms of encomium which no records of his genius will remain to justify."

Plunket was Chief Justice of the Common Pleas until the 23rd day of December, 1830, when he was nominated to the Chancellorship of Ireland, by the newly appointed Whig Ministry. He held the post until November, 1834, and was reappointed on the 30th of April, 1835.

In the year 1841, the Whigs were tottering, Plunket had fought their battles for years, but was now, for party purposes, useless. Campbell, their English Attorney-General, was anxious for higher official position. Brougham had surpassed him; Pepys, the Solicitor-General, had been, contrary to usual precedent, raised to the Chancellorship of England; Bickersteth, Lord Langdale, had likewise been promoted in Campbell's stead; none of the English Judges could be induced to resign their seats, and on the 18th of June, 1841, Plunket was hustled from the Irish Chancellorship to gratify the vanity of him who had boasted—"Here I am, Attorney-General for England and Member for Edinburgh, plain John Campbell." Every member of the two branches of the legal profession; every Irishman who remembered that the contemned old man had been once the glory of the country; every Roman Catholic who could remember his former years of degradation and of oppression, felt the indignity offered to Plunket as an injury to himself, and the country believed the whole affair to be a political outrage of the grossest and most unwarrantable character.

An address, signed by eighty-five lawyers of all shades of politics, was presented to Thomas Dickson, the Father of the Bar, requesting him to call a meeting of the profession, for the purpose of protesting against the nomination of Sir John Campbell. The meeting was called, and fixed for Tuesday, the 22nd of June.

Upon the last day of Plunket's appearance in Court every portion of its space was densely thronged. He decided some few cases, and in one of them referred "to the person who was to succeed him in the office he then filled." At the conclusion of the business of the day, Richard Wilson Greene, now one of the Barons of the Exchequer, then first Sergeant, as the senior of the Bar present, rose to address the Chancellor, and spoke thus.

"I presume, my Lord, it is not your Lordship's intention to sit again in this court; I therefore rise, as the senior in rank of the members of the Bar now present, and with the full concurrence of the brethren of my profession," (here all the members of the bar

rose simultaneously) "to address your Lordship a few words before your retirement from that bench over which your Lordship has for many years presided." (Lord Plunket then arose from his seat, and advanced to the front of the bench.) The learned sergeant proceeded :—"My Lord, we are anxious to express to your Lordship the sense we entertain, not only of the ability, the learning, the patience, and the assiduity which have marked your Lordship's administration of the high and important functions committed to your Lordship's charge, but also, my Lord, of the courtesy, kindness, and attention which we have all personally experienced at your Lordship's hands, in the discharge of our professional duties in this Court. We gratefully acknowledge, my lord, the disposition you have ever shown to accommodate us all—a disposition by which we all admit your Lordship was ever actuated, without regard to personal circumstances or to our political feelings or predilections. We trust, my Lord, it will be said that this feeling on our part will be as general and as universal, as the kindness on your part has been uniform and uninterrupted. My Lord, it is needless for us to dwell here, for the purpose of commenting upon the talents and endowments which have raised your Lordship to the high position from which you are about to retire. They are, my Lord, recorded in our history, and they will long live among the proudest recollections of our countrymen. From a sense of these, we offer to you our present tribute of the profoundest admiration and respect; and, my Lord, it is gratifying for us to add, that at no period of your Lordship's career have they ever shone in greater lustre than at this moment. My Lord, with warmest wishes for your Lordship's happiness in that retirement, which none is more fitted than your Lordship to adorn, we respectfully bid your Lordship farewell."

When the Bar had concluded their address, the Attorneys presented theirs, at the close of which, amidst the stillness of the anxious Court, Plunket said—

"It would be great affectation on my part if I were to say that I do not feel to a considerable degree at the prospect of retiring from a profession, at which I have for a period of more than fifty years of my life been actively engaged—a period during which I have been surrounded by friends, many of them warm ones, (his lordship then paused evidently much affected)—without exception—many of them are now no more—some of them, nay many of them I see at this moment around me. This retirement from the active scenes in which I have been so long engaged, and which have become as it were incorporated with my life, I cannot help feeling, and feeling deeply. It has however, in some degree been alleviated by the prospect of the repose which is probably better suited to this period of my life, and which perhaps would have earlier induced me to retire but for events of a particular description which have latterly occurred; but independent of this I must say that any pain I would have felt has been more than alleviated by the kind and affectionate address which has been offered to me by my friend Sergeant Greene, and which has

been so cordially assented to by the members of both professions. I am not unconscious that in the discharge of those duties, my ability for which has been so over-rated by my friend Sergeant Greene, I have been led into expressions of impatience which had been much better avoided; for any pain that I have given in doing so, or any feelings that I have hurt, I sincerely apologise, and I am grateful to the profession for not having attributed to inclination any such observations; and I must say that whatever any such expressions may have been, they never have influenced me. It is a sentiment that I trust never will influence me; and I am now able to say, that in retiring from my profession I do not carry with me any other sentiment than that of affectionate consideration for all and every member of the profession. Now with respect to the particular circumstances which have occurred, and the particular succession which is about to take place in this court, it will become me to say very little. For the individual who is to occupy the situation I now fill, I entertain the highest political and personal respect—no one can feel it more so—but I owe it as a duty to myself and the members of the bar to state that, for the changes which are to take place I am not in the slightest degree answerable; I have no share in them, and have not directly or indirectly given them my sanction. In yielding my assent to the proposition which has been made for my retiring, I have been governed solely by its having been requested as a personal favour by a person to whom I owe so much, that a feeling of gratitude would have rendered it morally impossible that I could have done otherwise than to resign. When I look at the Bar before me, and especially the number of those who might have sat efficiently in this judicial place, I am bound to say that for all those great ingredients which are calculated to enable them to shine as practitioners, and as members of the Bar, or as gentlemen, for candour, for courtesy, knowledge, and ability—I challenge competition—I challenge the very distinguished Bars of either England or Scotland, and I do not fear that those I have the honor of addressing would suffer in the comparison. To them, for their repeated kindnesses I am deeply indebted. I do assure them that when I retire into quiet life, I will cherish in my heart the affectionate kindness and attention which I experienced at their hands."

Plunket was deeply affected during the delivery of this parting address. At its conclusion he bowed to the Bar, and left the Court, leaning upon the arm of his friend Sir Michael O'Loughlen, Master of the Rolls.

On the day succeeding Plunket's farewell, the meeting of the Bar which had been called assembled, to the number of about one hundred and fifty, and the following address to the Queen was agreed upon:—

"TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The humble Address of the Bar of Ireland.

Your Majesty's loyal and faithful subjects, the Members of the Bar of Ireland, approach your Majesty with the deepest attachment

to your Majesty's person and throne. The members of the Bar of Ireland assure your Majesty that they view with the deepest respect, every branch of your royal prerogative, and acknowledge with gratitude your Majesty's gracious anxiety to regard, in the exercise of that prerogative, the interests and wishes of every class of your Majesty's subjects, when founded in justice, and known to your Majesty. The highest judicial office in Ireland having lately become vacant, (an office, heretofore, occasionally filled by members of the English Bar,) the members of the Bar of Ireland beg leave most respectfully to submit to your Majesty, that, inasmuch as all judicial offices in England are uniformly filled by members of the English Bar, so, in justice to your Majesty's faithful Irish subjects, all judicial offices in Ireland ought to be filled uniformly from the Irish Bar—and they trust that among that body will be always found persons worthy to fill such offices, and deserving of your Majesty's confidence.

THOMAS DICKSON, Q.C.,
Father of the Bar of Ireland."

A protest against this address was circulated some days afterwards, signed by one hundred and forty-eight lawyers, amongst whom were Blackburne; the present Master of the Rolls; the present Baron Greene, and Keating, Judge of the Prerogative Court. There were, however, very many members of the profession who, whilst they refused to sign the address, refused emphatically to sign the protest. Amongst the most remarkable were the late Chief Justice Pennefather; the present Chief Justice Lefroy; Monahan, now Chief Justice of the Common Pleas; the present Mr. Justice Moore; Hatchell, the late Attorney General; Master Brooke; Fitzgibbon; Mr. Sergeant Stock; Pigot, now Chief Baron of the Exchequer; Jackson, now Justice of the Common Pleas; and Mr. Jonathan Henn.

Those who know Ireland and the Irish Bar; those who are aware of the separation which exists, from political and religious causes, in this country; those who have marked the discriminating and delicate coyness which distinguishes the conduct of the Irish Bar in all combined political action, can readily appreciate the very great excitement which must have prevailed before the men whose names are here written, gave such public evidence of their sentiments on so important an occasion. It was resolved that a Bar Levee should be given to Plunket; it was held at his House in Stephen's Green, that house which is now occupied by the University Club, and was attended by, we may state, the entire legal profession.

Lord Campbell held the Irish Chancellorship for a few weeks. That he might return to private life a retired Chancellor, one of the last great men of Ireland was driven from that office

to which his public services entitled him, and for which his acquirements qualified him, and which was the reward of a long life of public honesty and of unselfish patriotism. Plunket thought, Ireland thought, that it was a degrading insult. As Sir Robert Peel said, when speaking in the year 1844 of the manner in which Lord John Russell had wrested the seals of Ireland from the weakened hands of her old champion, to present them to a Scotchman, who had been considered unworthy to sit upon the English Woolsack—"in order to gratify that learned individual with a six weeks' tenure of office the people of Ireland were subjected to an affront, which whatever the public may think of my disposition towards that country, I declare if I had offered them I would not have retained office a single hour."

As a lawyer Plunket was not very deeply read, but as an advocate he was unsurpassed. The specimens we have inserted from his Bar speeches are quite sufficient to prove this statement. He was, in Court, frequently witty, often humorous; a keen observer of men, he was an admirable direct or cross-examiner; as a judge, he was not of the highest order of intellect, his mind was forensic rather than administrative. Great in the forum, powerful in every art that the ever-changing phases of a trial or of an argument may require, he closely resembled that great orator, Erskine; but, unlike Erskine, his energy, his power, and his genius, bore him to the highest and noblest Parliamentary reputation. Sir James Mackintosh, who knew the exact mental worth of every man with whom he had been brought into collision, notes, in his journal, "If Plunket had been regularly trained to the British House of Commons, he would have been the greatest speaker there that he remembered." Sir Jonah Barrington, too, who dedicated his *Rise and Fall of the Irish Nation*, to Plunket, was of opinion that amongst the entire body of the members of the Irish Parliament who afterwards became representatives in the Imperial Legislature, Plunket, next to Grattan, was the most distinguished; and we may accept this testimony as important, for few were better qualified to judge of those who defended Irish independence, than Barrington. Writing of Bushe, Lord Brougham observes—"We have not the condensed and vigorous demonstration of Plunket; we have not those marvellous figures, sparingly introduced, but whenever used, of an application to the argument absolutely magical. Let no one hastily suppose that this is an exaggerated description of Lord

Plunket's extraordinary eloquence. Where shall be found such figures as those which follow—each raising a living image before the mind, yet each embodying, not merely a principle, but the very argument in hand—each leaving that very argument literally translated into figure! The first relates to the Statutes of Limitation, or to prescriptive title:—‘If Time destroys the evidence of title, the laws have wisely and humanely made length of possession a substitute for that which has been destroyed. He comes with his scythe in one hand to mow down the monuments of our rights: but in his other hand the law-giver has placed an hour-glass, by which he metes out incessantly those portions of duration which render needless the evidence he has swept away.’ Explaining why he had now become a Reformer when he had before opposed the question:—‘Circumstances,’ said he, ‘are wholly changed; formerly Reform came to our door like a felon—a robber to be resisted. He now approaches like a creditor; you admit the justice of his demand, and only dispute the time and the instalments by which he shall be paid.’”

Of Plunket's social powers much has been written, and told, and, from many sources, we have gathered the following tributes to, and specimens of, these powers.

In the year 1827 Moore met Corry in London, at the Opera, and noted the following witticisms of Plunket. “Corry,” he writes, “told me a good deal about Plunket, of his amiableness, and even playfulness, when one comes to know him, notwithstanding that repulsive look and manner of his. Described a merry day with him and the Chief Justice (Bushe,) at the Pigeon House: their endeavours to out-pun each other; ‘Well, that’s as bad as his, isn’t it?’ ‘No, no; mine was the worst, I appeal to all around.’ Con Lyne was one of the party, and, on his undertaking to recite something, Plunket said, ‘Come, come, Lyne, stand up while you do it; stand up, man, and nobody at least can say you’re *Con-seated* (conceited.)’ Mentioned Plunket’s joke on some one saying, ‘Well, you see———’s predictions have come true.’ ‘Indeed,’ said Plunket, ‘I always knew he was a *bore*, but I did not know he was an *augur*.’”

It is recorded that, in his own country town of Inniskillen, he defended a horse-stealer with such consummate tact, that one of the fraternity, in a paroxysm of delight, burst into an exclamatory, “Long life to you, Plunket! The *first horse I*

steal, boys, by Jekers, I'll have Plunket!" On being told that his successor in The Common Pleas, the late Chief Justice Doherty, had little or nothing to do, Plunket replied, "Well, he is equal to it." A clerk in the Court of Chancery, named Moore, prided himself upon his style of writing, his caligraphy, as he used to call it; and a frequent visitor to the Court was an attorney, named Morris, who was somewhat vain of his dress, and generally wore a bunch of flowers at his button-hole. "Plunket," said Bushe one day, while they were waiting for the Chancellor, "Why should this Court remind us of the road to Chester?" "I give it up," replied Plunket. "Don't you see," said Bushe, "we are near *Pen-man-Moore*." "I was stupid, indeed," rejoined Plunket "with *Beau Morris* opposite me." Being told of the appointment of a person who had the reputation of indolence, to a judicial office where there was little business, "It's the very Court for him!" he exclaimed, "it will be up every day before himself."

Until about the year 1820, there were no regular *Reports* of the Irish cases. All the new authorities were imported from England; so that the accident of a fair or foul wind might sometimes affect the decision of a cause. "Are you sure, Mr. Plunket," (said Lord Manners once) "that what you have stated is the law?" "It unquestionably was the law half-an-hour ago," replied Mr. Plunket pulling out his watch, "but by this time the Packet has probably arrived, and I shall not be positive." Charles Phillips writes:—

"I never saw Lord Redesdale more puzzled than at one of Plunket's best *jeux d'esprits*. A cause was argued in Chancery, wherein the plaintiff prayed that the defendant should be restrained from suing him on certain bills of exchange, as they were nothing but *kites*.—'Kites,' exclaimed Lord Redesdale; 'kites, Mr. Plunket? Kites never could amount to the value of those securities! I don't understand this statement at all, Mr. Plunket.' 'It is not to be expected that you should, my Lord,' answered Plunket,—'In England and in Ireland, *kites* are quite different things. In England, the *wind* raises the *kites*; but, in Ireland, the *kites* raise the *wind*.' 'I do not feel any way better informed yet, Mr. Plunket,' said the matter-of-fact Chancellor. 'Well, my Lord, I'll explain the thing without mentioning those birds of prey:—and therewith he elucidated the difficulty.'

When Sir Walter Scott visited Ireland, in the year 1825,

he became intimate with, and attached to, three very remarkable Irishmen,—Sir Philip Crampton, Plunket, and Anthony Richard Blake. It was whilst staying at Old Connaught that Plunket proposed to Scott they should pay a visit to the Seven Churches, and to St. Kevin's Bed. Scott insisted on entering St. Kevin's Bed, and after he had left the spot, Plunket told Cathleen, the guide, that Scott was a poet. "Poet," said she, fancying that Plunket was quizzing her,— "the devil a bit of him faith,—he's a fine daycent gentleman—he gave me a half-crown." Plunket used to tell this story with considerable humor. Of those who, as we have stated, pleased Scott most of all whom he met in Ireland, Lockhart writes:—"The acute logic and brilliant eloquence of Lord Plunket he ever afterwards talked of with high admiration; nor had he, he said, encountered in society any combination of qualities more remarkable than the deep sagacity and broad rich humor of Mr. Blake. In Plunket, Blake, and Crampton, he considered himself as having gained three real friends by this expedition; and I think I may venture to say, that the feeling on their sides was warmly reciprocal."

We have heard it frequently asserted that Lord Plunket has said, "History is only an old Almanack;" we take this opportunity of showing the error of the assertion. In *Hansard's Parliamentary Debates*, Vol. XII. N. S. p. 808, in the debate on Sir Francis Burdett's motion for a Committee on the Roman Catholic Claims—February 28, 1825—Plunket spoke thus:—"Time, as had been said by one of the clearest observers of its effects, was the greatest innovator of all. While man would sleep or stop in his career, the course of time was rapidly changing the aspect of human affairs. All that a wise Government could do was to keep as close as possible to the wings of time, to watch his progress, and accommodate his motion to their flight. Arrest his course they could not; but they might vary the forms and aspects of their institutions, so as to reflect his varying aspects and forms. If this were not the spirit which animated them, philosophy would be impertinent, and history no better than an old almanack. The riches of knowledge would serve them no better than the false money of a swindler, put upon them at a value which once circulated, but had long since ceased." Mr. Secretary Peel, at page 820, replies—"My right hon. friend says, he would not convert the philosophy

of history into a miserable almanack, or represent experience as a swindler passing base money upon mankind. I agree with him, and I look back to history for the instructive lesson it affords, and consult experience upon the abuses of power in all ages." A portion of this extract, which we have printed in italics, has been considered very clever and approaching somewhat to an aphorism, but it is not original; thirty-four years before Plunket spoke it, Boswell had published, in his *Life of Johnson*, the following remarks: "*Johnson*. We must consider how very little history there is; I mean real authentic history. That certain kings reigned, and certain battles were fought, we can depend upon as true; but all the colouring, all the philosophy of history is conjecture. *Boswell*. Then, sir, you would reduce all history to be no better than an almanack, a mere chronological series of remarkable events."* Whether Boswell had ever seen the remark of Mercier, in his *Nouveau Tableau de Paris*, that "*Malet de Pan's* and such like histories of the Revolution, are no better than an old almanack," we know not; the observations of Boswell, and of Lord Plunket, may be, as Johnson would say, "a proof of coincidence, sir, but not of plagiarism."

Plunket was an excellent host, and few could propose a health with more feeling and grace. On one occasion he thus toasted his old friend Peter Burrowes:—"I know no man who has more to answer for. He has spent his life in doing acts of kindness to every human being but himself. He has been prodigal of his time, and his trouble, and his fortune, for his friends, to a degree that is quite inexcusable. In short, I know no way of accounting for such an anomaly, but by supposing him utterly destitute of the instinct of selfishness." On another occasion he proposed Bushe's health thus:—"Gentlemen, I am going to give you a toast; and it will be necessary for me to say a word or two, before I tell you what it is. If I were to say, I am going to give you the Solicitor General, perhaps you would be at a loss to know whom I mean. And if I were to say that I am going to give you the Chief Justice, I would certainly mention a very respectable and most distinguished individual; but it is not exactly him I mean at present. In order, therefore, that there should be no ambiguity, that

* See Boswell's *Life of Johnson*, Vol. III. p. 241 edited by Croker, Ed. 1831.

you may all perfectly understand who it is that I do mean, I beg leave to give you, the ornament of the Irish Bar; the man who has endeared himself to all who know him, not merely by the richness of his genius—not merely by the splendor of his eloquence—not merely by the captivations of his manner—not merely by the extent and the variety of his erudition;—but by the essential goodness of his heart and nature, which eclipses them all.”

A witness was being examined by Plunket, and on cross-examination refused to answer, as the counsel put him into a “doldrum.” A “doldrum” said the judge, Lord Avonmore,—“What is a doldrum? I never heard the word.” “Oh! my Lord,” replied Plunket, “its a well known affection; merely a confusion of the head arising from a corruption of the heart.” The day upon which Lord Campbell was expected to arrive, for the purpose of assuming his Chancellorship, was remarkably rough and windy, and a friend remarked to Plunket how sick Campbell must be. “Yes,” said Plunket, “but it won’t make him throw up the seals.” Such a man as this was Plunket.—Brilliant, eloquent, thoughtful, persevering, honest, and unswerving in friendship. The younger Grattan writes:—

“Mr. Plunket was a deep reader, a profound thinker, and a sagacious observer of mankind. He could learn quicker than any man; at one view he perceived the tendency of a measure, and saw from afar its errors and its consequences. His power of perception was great; his power of discrimination greater; and the clearness of his intellect was surprising. He was full of sense and judgment; he was a close and acute reasoner, a powerful debater, and most argumentative even when most eloquent. His speeches were ironbound on all sides, solid and compact; never exposing a weak point to his adversary. His eye discovered not merely reflection, but command, and his irony was the most effective and most to be dreaded; it was not simply dissecting the human body, but flaying it alive. When he arraigned Lord Castlereagh for his plan to buy the members, by a million and a half to be expended for the purchase of the boroughs, it was more than the denunciation of an injured and indignant mortal,—it was fire snatched from above; he soared beyond the low region where he was placed, to draw from a superior armoury the fittest weapons to defend his country, and poured down on the devoted head of her implacable foe the storm, and tempest, and lightning of his anger. All his speeches were remarkable, but his finest speeches were most finished performances, they were masterpieces of oratory; they contained profound views and answered everything. His speech on the Catholic question, in the Imperial Parliament, will long be remembered. He put forward the strength of their case in

a manner that not only caught the auditory, but drew from one of the greatest opponents of their claims the remark, that Plunket had done more to advance their cause in the House than any of their advocates; and from another, that his talents had excited the greatest admiration, and his convincing speech would never be forgotten. His speech on the French war in 1815 was powerful and masterly; no man in the House of Commons could have put the several cases of right to go to war, and of the right to interfere with the government of other states, in so powerful a manner; so clear, and each so distinct, like a stream that pours from the rock, strong and pellucid. His pleading in the case of the King against O'Grady was a masterpiece of forensic ability; so much so, that it was stated in private by one of the Judges, that *he had never known* what argument was until he heard Plunket in that cause. A common observer might consider him cold and cautious in private, but that was not his character; he possessed a humour at once agreeable and instructive, and in the minutest things he showed that his understanding was of the first order. Take him altogether, he was an extraordinary man. The son of a worthy Presbyterian clergyman in the north of Ireland, possessed of a small fortune, who died leaving a large family with little to support them, and this individual then a very young child. Deprived of his father, he managed to procure for himself the best education, and to gain the highest name in the University of Dublin; so high that he would not even accept a fellowship if it had been conferred upon him. He thence raised himself at the bar, and became a most distinguished advocate. He then got into the Parliament of both Kingdoms; the Irish Parliament first, the Imperial Parliament afterwards. He was advanced to the highest offices in the state,—Attorney General, Chief Justice, Lord Chancellor of Ireland. He was offered the Rolls in England, and finally received a British Peerage. All this he did,—not by dint of art or money,—not by stooping to the vulgar ways of low ambition, or of crafty pride,—not, as Lord Clare did, by abusing and selling his country—nor, as Lord Eldon did, by cringing and crouching to royalty; he excelled every where, and succeeded in almost everything; he upheld the rights of Ireland, defended her cause, and advanced himself solely by his gigantic abilities and fearless energy."

There is not a syllable of exaggeration in this beautiful tribute to the genius of a great man, who, like Wedderburn, united, at once, all the highest qualities of a lawyer, of an orator, and of a statesman. He might have been a poor man through life, had not his brother's bequest enriched him. He refused all patronage and all place from those whose friendship might be looked upon as the price paid for bartered principles. During life the base, virulent, falsehood of faction, from Cobbet's time, even to the day upon which the earth received his corpse, was ever ready to defame him. But when wealth and power were within his grasp, he resigned them because he

would not surrender old convictions. When the Roman Catholics were oppressed he was the foremost amongst their advocates. When a misled people came forth to fill the land with riot, to stain it with excess, and in demanding Reform, and freedom, fancied that Liberty was a blood-stained, fierce-eyed Amazon, not a calm and sacred spirit—Plunket saw that destruction was in their wild course, and gave all the advantage of his advocacy to the government that crushed the mad rabble in its hour of folly.

In the discharge of all his high duties he was ever just and diligent. Carefully and anxiously did he inquire into the law and facts of every case brought before him. The large as well as the great causes received his fullest attention. As an officer of the Crown, as a Chief Judge of the Court of Common Pleas, as Chancellor of Ireland, he was ever honest, fair, and impartial,—and, like Fuller's *Good Judge*—"His private affections were swallowed up in the common cause, as rivers lose their names in the ocean."

And thus in honor, and in peace, the latter years of Plunket's existence passed calmly away. As time rolled by the friends of early days fell around him, and Burrowes, and Bushe were the last to linger by him, each "proud," as Bushe said, "to be the friend of such a man"—and when they died, it seemed as if, to Plunket, all memory of the great past had expired with them, and his closing years were clouded in forgetfulness.

But what a grand and noble intellect had been his! The poor puppets of this hour, who jabber when his name is uttered; the mean whipt hounds of faction, who howl and snarl as his life deeds are recorded, and his triumphs proclaimed, can never dare to deny his genius and his eloquence; and when the cry of place-man, of traitor, is raised, every honest man should remember how Plunket ever met these charges during his life, and how the slanderer was driven from the base trade, baffled, confuted, exposed. The records of the Irish Parliament, the records of the Imperial Legislature, the Reports of the Law Courts and of Parliament, the admiration of the Irish and English Commons, the esteem of the Legal Profession in his own country,—all prove Plunket's real character, all proclaim him to have been, in heart and deed, in each era of his long life, thoroughly and thoroughly—a patriot Irishman.

He died, at his seat, Old Connaught, near Bray, on Wed-

nesday, the fourth of January, 1854, and was interred, in Mount Jerome Cemetery, on Saturday, the seventh of the same month. The coffin bore the simple inscription:—

WILLIAM CONYNGHAM PLUNKET.

BORN JANUARY, 1764.

DIED JANUARY, 1854.

AGED 90 YEARS.

ART. V.—LIMITED LIABILITY IN PARTNERSHIPS.

1. *Report on the Law of Partnership, Together with the Appendix containing Communications to the Board of Trade Respecting the Law of Partnership.* Ordered by the House of Commons to be printed, 14th July, 1837.
2. *Report from the Select Committee on the Law of Partnership, Together with the Proceedings of the Committee, Minutes of Evidence, Appendix and Index.* Ordered by the House of Commons to be printed, 8th July, 1851.
3. *An Inquiry into the Policy of Limited Liability in Partnerships.* By Henry Colles, Esq., Barrister-at-Law, Dublin: J. M'Glashan, 1853.

HAVING already discussed the principle of limited liability in partnerships, and the propriety of introducing such a system, we have now to consider under what restrictions, and to what extent, we should ask for it the sanction of the legislature. Much more might be written in favor of this contemplated change, and considerable evidence accumulated, but that we foresee, for many reasons, that legislation on the subject is at hand, and that of the advantages of the introduction of such a measure there is now entertained but little doubt. We shall not, therefore, stop to expose the fallacy of the few arguments which do not come under some one of the classes already discussed, but conclude our remarks on this head with a passage from the evidence of one who, from his high position, intelligence and experience, may be considered as amongst the highest authorities on such a subject—we allude to the late Lord Ashburton, and which will be found in the appendix to the Report made by Mr. B. Kerr, to the Board of Trade, in 1837.

“I certainly have had opportunities of considering the sub-

ject, because, having passed a considerable portion of my life abroad, I have seen something of the working of the system of commandite partnership, and I must confess I am favorable to it: I think upon the whole it would be desirable: it would bring additional capital into commerce: it would favor the enterprise of men of talents with insufficient capital, and, generally speaking, I cannot help thinking that, under proper regulations, it would furnish sufficiently substantial security to commercial establishments. I have heard that this principle is objected to by persons whose opinions are entitled to respect, and I certainly should like to hear the subject adversely discussed, and to hear the objections to it stated; but my opinion has always been in favor of such a system, and I am not aware that it is objected to in those countries in which it has long existed. It would be necessary to be very particular in the regulations with respect to publicity, and with regard to the non abstraction of capital during the partnership in such establishments; but I believe those guards may, without difficulty, be introduced."

The objection made by Mr. Bellenden Kerr, (who thus admits the benefit of the limited liability law,) that the introduction of that system would involve us in a complex and cumbrous legislation, and lead to inextricable confusion, has induced us to point out the exact manner in which we think the change might be effected, and to give the heads of a bill for carrying out that object. Mr. Jones Lloyd (now Lord Overstone) also remarks:—"The difficulties of guarding against fraud and intricate litigation under the commandite system seems to be very great; it would be, perhaps, bold to declare that they are insuperable; they are, however, such as to form a very serious objection to the system, the exact force of which can only be correctly estimated when some specific plan for commandite partnerships is under consideration."

If any apology were required for entering into such minute practical details as we purpose, we should find, in the above evidence a sufficient justification.

In legislating on this subject there are two evils to be guarded against;—one, lest sufficient provision be not made for protecting from fraud;—the other, that in effecting that object we do not impose such stringent and undue restrictions as would render the law useless for its purpose.

With these two objects in view the following draft was

prepared. The basis on which it was principally framed is the existing law of commanditaire partnerships in the State of New York, which is itself based on the French law, a law that, longer than any other existing code, has recognized such partnerships. As we have already observed, this law is now in operation in nearly all the states of both the old and new worlds, and in each the same provisions are found. We have, however, in some instances, engrafted on the New York Code, provisions taken from the laws of other countries, and have made some alterations which are pointed at specific objections, and seem to be demanded, considering the suddenness and extent of the proposed change. Giving, then, the heads of such a bill, in order to meet what has fallen from the two principal opponents of the introduction of commanditaire partnerships, Lord Overstone and Mr. Kerr, we propose taking its provisions seriatim, and considering each of them in its double aspect; that they may neither render the law inoperative on the one hand, by unreasonable restrictions, nor, on the other, neglect to provide due safe guards against fraud.

The following are the provisions which we would submit for the consideration of the Legislature:—

1st—Limited partnerships, for the transaction of any mercantile, mechanical, or manufacturing business, with the exception of insurance, may be formed, subject to the following regulations and provisions:—

2—Such partnerships may consist of one or more persons who shall be called general partners, and who shall be jointly and severally liable, as general partners now are; and one or more persons who shall subscribe for, and contribute such sums as may be agreed on as capital to the common stock, who shall be called special partners, and who shall not be liable for the debts of the partnership, beyond the sum subscribed for.

3—The general partners only shall be authorized to transact the business of the firm, which shall be carried on in the names of such general partners only, with the addition of the words, "Commanditaire Company."

4—The persons desirous of forming such a partnership shall make and severally sign a deed which shall contain the name, or firm, the intended business, the names and residences, and descriptions of the general and special partners, distinguishing the general from the special, the sum for which each subscribes, and the commencement and duration of the partnership.

5—A memorial of the contents of such deed, together with an affidavit of its perfection, shall be lodged at an office, to be provided for that purpose, and shall be open to public inspection, free of charge.

6—Advertisements, containing a correct abstract of the above specified particulars, shall be inserted in the two principal papers of the city or county in which such partnership is intended to be carried on, and in each city or county where branches of such firms shall be established.

7—Every renewal, continuance of, or change in, such partnership shall be certified, recorded, and advertised in the manner required for its original formation, and every such partnership which shall be otherwise renewed, continued, or altered, shall be deemed a general partnership; suits in relation to the business of the partnership may be brought and conducted, by and against the general partners, as if there were no special partners. No part of the sum which any special partner shall have contributed to the general stock shall be withdrawn by him in any shape whatsoever; and no sums by way of interest, other than those arising from profits shall be paid to such partner.

8—Judgment creditors of such firms may issue writs of execution against the goods of such special partners under the same restrictions, and in the same manner as writs of execution may be issued against the shareholders of companies incorporated by Act of Parliament, as provided by the Companies Clauses Consolidation Act.

9—Special partners shall be liable to the creditors of the firm to the amount subscribed by them; and the greatest amount received by them out of the profits during any one of the six years next preceding the insolvency of such partnership, deducting the sum actually paid in as part of the capital stock.

10—A special partner may, from time to time, examine into the state and progress of the partnership concern, and advise as to its management, but shall not further interfere in the business of the firm, under penalty of being deemed a general partner.

11—No clerk or other person employed, who shall receive as salary a proportion of the profits, shall be thereby subject to the liabilities of the concern in which he may be engaged.

12—Such a partnership shall be liable to all existing laws of bankruptcy and insolvency, with regard to fraudulent preferences and in all other respects whatsoever.

13—A special partner who shall be guilty of, or privy to any offence against the existing laws of bankruptcy or insolvency, or an infringement of the provisions herein contained, shall be deemed, and liable as a general partner.

14—Every person privy to, and an accomplice in any offence against the existing laws of bankruptcy or insolvency, shall be liable to be indicted and tried for such offence at any Court of Oyer and Terminer, or Quarter Sessions, and if convicted, shall be liable, in the discretion of the judge of such court, to the punishment provided for the principal offender in such cases, and the costs of such prosecution shall, in the discretion of such Court of Bankruptcy and Insolvency, be paid out of the estate of such insolvent firm.

15—When, and so soon as, such partnership shall sustain losses, amounting to not less than 50 per cent. of the subscribed capital, such fact shall be published and advertised within one fortnight from the time when such losses shall, or might, without wilful default, have been ascertained in the manner required on the original formation of such partnership.

16—Such partnerships, except as otherwise provided, shall, as regards the mutual rights and liabilities of the partners, and as regards third persons, be liable to all the rules and provisions of the existing laws of partnership.

The first of the above provisions, as to the extent to which this law should be admitted, although prior in point of time, we shall turn to lastly, as its consideration is of entirely a different character from all the others. Into the second we have introduced an ingredient not contained in the New York Code,—that it shall not be necessary that the entire capital should be actually paid in by the special partners. Our object in so doing was to facilitate the formation of such companies; and even in the *Irish Anonymous Partnership Act*, which has been considered so stringent and harsh towards commanditaires, it will be found that it was necessary only to pay in one-fourth of the sum subscribed for, previous to the formation of the partnership, and the other three-fourths within twelve months from that time. We feel very much pressed by the fact, that the New York Code, on the beneficial working of which we depend as an argument in its favor, requires the entire sum to be paid in. It will be admitted, however, on all sides, that no restrictions, save such as would be absolutely necessary should be imposed on the formation of these partnerships; and thus, although the existence of such a provision in the Code to which we have re-

ferred would imply its necessity, we do not think we should be estopped from enquiring into the reality of such a necessity, or, from forming for ourselves an opinion. The only question then on this point is, does the public protection require it? We think not, and for the following reason. The special partner subscribes for a particular sum, say, £1000; of this he pays in at once £200. These facts are made fully known to the public in the manner already mentioned, and it will be for third parties, dealing with that firm, to form for themselves an estimate as to whether or not that special partner is worth £1000, and they will treat with the firm accordingly. Such third parties will be in the position they now occupy in dealing with ordinary firms; they should, as now, form for themselves an estimate as to the means of each of the partners, and deal accordingly with the company, with this further stipulation, that such partner was only to be liable for the sum specified. We are at a loss to distinguish this case from that of a guarantee given for a particular sum; the special partner here puts in £200, and the remaining £800, as far as third parties are concerned, may be regarded as a guarantee to that amount for the debts to be incurred by the firm. Take it that £5000 is actually paid in, and that £20,000 more is subscribed for, to be called in as the partners may arrange among themselves. In dealing with such a firm, merchants and other persons will be exactly in the same position as if dealing with a trader who possesses a capital of £5000, and who has procured friends to guarantee his debts to the amount of £20,000. Nothing is more common, we should say, than for guarantees to be given in this way, for greater and lesser amounts, and we have never heard any complaints from persons to whom such guarantees are secured, that they think themselves in an unfair predicament, or less protected in such dealings than in any other.

We insert this provision as conformable with the ordinary mercantile usage of principal and surety, and can see no reason for distinguishing a special partner, paying one-half, one-third, or otherwise as the case might be, of the sums he subscribes for, from a trader entering into business with such sum actually paid in as capital, and with a surety for the payment of his debts to the extent of the remainder of the sum. Once for all we put this case for the *commanditaires*, or, as we shall continue to call them, the special partners, on the plain grounds of a contract entered into by them, like any other contract of principal and surety, with third parties,

and differing only in this, that other contracts are entered into by separate agreements with separate individuals; whereas, the contract entered into by the special partners with third parties is contained in the published register of the deed of partnership, interpreted and explained by the Public Act of the Legislature, and is made, free of further stipulation, with every person transacting business with the firm.

Regarding the subject then in this light, we shall not enter on the consideration of an argument that might be urged against this provision—that it would be only fair, as the special partners are receiving a boon, that in return they should make some sacrifice, and be prepared to suffer some inconvenience; we shall rather direct our care to secure that there shall be in the terms of the contract no unfair advantage given, either to those commanditaire partnerships, or to the public, in their dealing with each other. It is true that a merchant entering into an extensive and speculative contract would prefer doing so with a firm having a capital of £25,000, actually paid in, rather than one with an actual capital of £5000, and guarantees for its liabilities from different individuals for £20,000. He might not enter into that contract with the latter firm, though he would do so with the former, let him then act in his transactions with a commanditaire firm, we have already observed as with one possessing a capital equivalent to the sum actually paid in, and with guarantees according to the solvency of the individuals, for the remainder of the sum subscribed for.

The propriety of the third provision cannot be disputed; and if we were only to rely on the fact, that in every code in which such partnerships are recognized a precisely similar provision will be found, we should require its insertion. If, however, we refer back to the grounds on which we sought to have the limited liability system introduced into these countries, and find that our complaint was, that, under the existing law, people retiring from business could not leave their capital engaged in it, and that our object was to have capital, *per se*, on the one side united to industry without means on the other, we should be guilty of singular inconsistency in demanding for a man who would be an active partner—contributing both labor and capital, a limited liability. Without writing one word as to the justice or injustice of conferring such a privilege on persons who should come within the definition of general partners, we shall merely observe that in dispensing with this provision, the advocates of limited liability would stultify themselves, and demonstrate that they sought for something be-

side, or beyond, what in the first instance they demanded—a remedy for existing evils. The concluding part of this provision, as to the title of the firm, is for the purpose of meeting a specific objection, that the general public would not have constantly before them the character of the partnership, and would not be incited to enquiry and investigation. In framing this title we have, we think, selected the most convenient and business-like, as well as effectual, manner of describing such companies; and even in so small a matter as this, where the phrase should be so often used, we have thought it deserved time and trouble in the selection. We have found in the communication of Mr. J. M. Ludlow, a suggestion as to the manner in which such companies should be styled. He suggests the introduction of the words “commandite” or “limited liability”—thus “Brown, Butler and Co.’s Commandite,”—or “The Limited Liability Company.”

We think, however, that the title we propose, and which conveys correctly that the company is one framed on the commanditaire system under the management of the general partners, would be found, as we have already observed, most convenient and business-like, as well for general purposes of communication, as for the purpose of book-keeping, furnishing accounts and drawing bills, and other instruments incidental to trade. The title of the firm which would run thus, “Brown, Jones and Smith, Commanditaire Company,” or “Brown, Jones and Smith’s Cre. Coy.,” would also sound less strange than any other which could be suggested.

As regards the four following provisions, which are conversant about the formal execution, registration and publication of the deed of partnership, we cannot perceive in them anything that imposes extraordinary difficulty or trouble on the persons about joining such partnerships. In our former paper on this subject we commented on the advantage of having such a deed, declaring the sum subscribed, and to be accounted for in case of the insolvency of the firm. The expense and trouble on the co-partners will be but a trifle more than is now required for the usual co-partnership deed of settlement, and so useful and reasonable do we deem the execution and registration of partnership deeds in cases of insolvency, that we would require even partnerships under the existing law to be evidenced in this way. The main requirement of publication, irksome and disagreeable as it may be to persons to have their private business arrangements exposed in this way, seems to us one the necessity for which cannot be disputed:

besides, the principal case made by us for special partnerships requires the registration and due publication of the deed setting out all the particulars of the partnership. Provisions similar to these are also found in every code in which commanditaire partnerships are introduced. In settling upon the terms therefore of these provisions it is necessary to consider, merely in what manner, and by what machinery this object of having the deeds duly executed, registered and published, can be most readily and effectually attained.

It is for the purpose of simplifying legislation upon the subject that we have inserted the general provision that such partnerships may sue, and be sued, in the names of the several partners. We are aware that this very question, as to the difficulty and inconvenience of the existing law in proceedings by and against partners, is one of those subjects which have occupied legal reformers. The recent *Common Law Procedure Acts*, which have been passed, both for this country and England, provide for the serious evils consequent on the non-joinder or mis-joinder of parties, when partners are either plaintiffs or defendants in legal proceedings, by giving the judge before whom the case is tried the power of inserting or striking out names, when he considers such a course is not likely to unfairly prejudice the opposite party. With our provision, however, there can be no necessity even for an application to the judge, as the parties in whose names such firms are conducted, and none other, would be the proper persons to sue and to defend. The latter part of this provision, which is entirely our own suggestion, is intended to provide for what may be a very ordinary case—creditors being unable to find sufficient goods of the partnership off which to levy the amount of a judgment which they may have recovered against the firm. *The Companies Clauses Consolidation Act* enables the creditors of a company incorporated by Act of Parliament, the liability of whose shareholders is limited to the amount of their shares, when there are no sufficient goods of the Company to satisfy these judgments, to issue execution against any number of the shareholders they may choose, for the amount remaining uncalled on their shares, on obtaining liberty from a judge for that purpose, which will be granted on proof of the above facts. We consider such a provision as one to which special partners can have no right to object, as it merely confers a very proper and reasonable privilege on the creditors of such

firms, by enabling them, readily and efficaciously, to obtain payment of their just demands.

A very fair and well founded objection has been made to the limited liability of the commanditaire partners, that persons with capital might select one or two reckless adventurers as the general partners, and supply them with the means of embarking in some very speculative trade; that these general partners would be at liberty to engage in the most gambling ventures in which the risk would be very great, and the profits proportionably large, and that thus, by successful speculations during one or two years, the profits realized would be so large, that the special partners, whenever their schemes were unsuccessful and a crash came, would be quite easy about the result, their liability being limited, and the profits which they had divided being more than sufficient to cover the amount for which they were liable, and give them an ample return on the capital engaged. If the concern were lucky enough to escape destruction for a period, the amount of their subscription would be a mere bagatelle. To meet this case we have inserted the ninth provision, that in addition to the sum subscribed the special partners should be liable for the largest sum ever received by them, as profits, in any one of the six years preceding insolvency. It may be said that this will not be a sufficient safeguard against the evil. We think, however, it would, and for the following reasons;—firstly, few men will rush on such very wild speculations, or, as we have already remarked, act with their commandite capital, as if it were a stake thrown on a gaming table;—secondly, should they engage in such extensive risks, the amount of the greatest profits that has been made in one of a series of years will be so large as to provide in all reasonable probability, when added to the sum for which the special partners were originally liable, a fund sufficient to meet the demands on the firm. On the other hand, it may be objected, that this presses too harshly on the special partners, and will go a considerable length in rendering this Act nugatory. We do not think so; in our opinion the provisions in *The Irish Anonymous Partnership Act* which rendered it ineffectual, were those unmeaning regulations that hampered the partners in the formation of their company, in the subscription of their capital, and the division of their profits. We think that in return for that, which is somewhat of a boon, special partners should be prepared, on the insolvency of their firm, to have liberal measures taken to protect the creditors.

The tenth provision does not seem to us to require any observations, being one of mere routine, and about which we cannot see how any discussion could be raised. Neither do we consider the succeeding provision, for the case of clerks or shopmen receiving a portion of the profits as the remuneration of their services, serious and important though it be, as one which we shall be called on to defend. Of the useful results, both moral and political, which ensue on such permission, we have already written, and as we recollect, there is not one person who has offered any, the slightest, objection to such a provision. Of the twelfth clause we need only remark, that it is one of routine, and with regard to which there can be no question. The thirteenth we have introduced, considering as we have already written, that, in cases of insolvency, every fair and reasonable protection should be extended to the creditors of such firms, in order to limit the benefits of the Act to those who would honestly, and bona fide, enter into trade under its provisions, and by excluding knaves from its operation, prevent its being the means of saving dishonest traders from the consequences of their own frauds.

In wading through the mass of evidence which has been collected on this subject for the information of the legislature, and which appears in the Parliamentary Papers of 1837, and 1851, appended to the reports then made, one objection will be found to have been most frequently, and most strenuously urged—that the difference between the insolvent laws of France and England rendered nugatory any argument that might be based on the beneficial working of the system in France, and that it by no means followed that in England, with a totally different, and much less stringent Bankruptcy Code than that of France, the same law would have the same useful operation. Mr. M'Kenna,* who has analyzed and compared the bankrupt laws of these Kingdoms and of France, has shown the true value of this objection. On investigation we find that there is but little difference between these laws, except in the manner of carrying out their penal provisions, particularly that the French Law provides for the punishment of accomplices in any offence against the Code. The introduction of the French procedure of prosecutions, useful as it undoubtedly is, seems to us to require a bill framed for the ex-

* See his essay, published by Hodges and Smith, for the Statistical Society, 1854.

express purpose of amending our bankrupt laws. We do not think that it would be proper to attempt, in a bill for the modification of our present law of partnership, any patch work amendments of our insolvent laws, or to retard the introduction of the *commanditaire* system, until an accurate and well matured bill has been prepared on the subject. The provision in the French Code, which constitutes the principal difference between the insolvent laws of the two kingdoms, that as to offences against the law, we have inserted in the fourteenth provision, subjecting accomplices in any offence against our present law, to a criminal prosecution and severe punishment on their conviction. This provision should have the effect of weakening considerably, if not of entirely removing, the above objection, which, when at first advanced, was considered as one of the strongest points that could be made against the proposed change, and made, we should imagine, on the usual grounds of taking "*omne ignotum pro terribili*."

The fifteenth provision is one which we have adopted from the Dutch Code, although not found in the French, or in many others. On the first view, the reason for such a rule does not appear, but we find the evil which might otherwise ensue very correctly and providently suggested by Mr. E. A. Wilde, an eminent solicitor, whose evidence is appended to the Report, already quoted as having been made in 1837. The substance of his objection is, that a partnership with limited liability might be originated in 1836, with a capital of £5000, either actually paid up, or subscribed for. In 1840 this sum may have been entirely lost, yet if a person about entering into contracts with the firm makes inquiry, and goes to the registry office, he is informed that the capital of the Company is £5000. He acts on this assumption, and is thus induced to deal with the firm which may be actually insolvent. This would be a monstrous grievance, and it is to provide for such cases, and a sufficiently ample provision it seems to us to be, that we have adopted this rule of the Dutch Code. As regards the sixteenth provision, with respect to the general rights and liabilities of the partners' interest, and as regards third parties, although we are aware there is much that requires reformation, yet for the present, and until that reformation be effected, we do not think that any thing so feasible can be proposed to enable us to enjoy speedily the advantages of the system, the introduction of which we advocate. No

difficulty in the practical details, or in the working of this provision, so far as it is reconcilable with the otherspecial provisions, suggests itself to us. We fear that we have dwelt at too great length on this subject, particularly as regards the general reader ; but we thought that the challenge which had been given by Lord Overston should be met, and the insinuation that no possible practicable plan could be proposed which would not disclose the objections to the system, should be explained away.

With regard to the propriety of confining the benefits of the limited liability system to particular branches of trade and commerce, it seems to us that, with the one exception, that of insurance, which we have made, no sufficient, if any, reason can be offered, the best authorities are agreed as to the propriety of its liberal introduction.

On this point Mr. Mills says, "I do not see any weight in the reasons for confining the principle to certain kinds of business, or for making certain employments an exception to it. The prohibition of commandite is, I conceive, only tenable on the principle of the usury laws, and may reasonably be abandoned since those principles have been given up."* Mr. Van der Oudermeulen, an ex-President of the Netherlands Trading Company, and Privy Counsellor in Holland, writes thus :—"I have no objection to state, that, as far as my experience goes, and as I have heard, the limited liabilities of partners, either in Joint-Stock Companies, or in Societies *en Commandite*, works well in Holland, and not only in respect of general enterprises, but also for banking and insurance." We might collect many more favorable opinions as to a liberal introduction of the system. We conceive, however, as we have already written, that it is much more satisfactory to reason out for ourselves, from the evidence upon the subject, the course which we should adopt, rather than be led blindly by the expressed opinions of men, whether practical or theoretical authorities upon the question. The absence of evidence upon this point must be a source of considerable regret, and may, we fear, lead to some delay in legislating upon the subject.

On this part of the question also, we must lament that we have had so little discussion, for hitherto the sole enquiry has been as to a matter about which there can be now little controversy—the abstract proposition as to the advantages of the sys-

* Appendix to Report of 1851, p. 160.

tem, and the necessity for its introduction. We do not think that hasty legislation would be desirable ; we mean hasty as to the extent to which this reform should be carried out. It would be satisfactory to have the evidence of experienced mercantile men on the point, and to hear whether any, and what objections could be pointed out to applying this law to particular branches of commerce. It is with over anxiety that we offer this suggestion, because, were we to judge from other codes, and the extent to which their framers have recognised this system, and to be guided by our own reason in the matter, we should have no hesitation in pronouncing that to the full extent proposed by us such partnerships should be recognised.

In the state of New York from which we have such favorable accounts of the working of this system, it is expressly provided that "limited partnerships for the transaction of any mercantile, mechanical, or manufacturing business within this state, may be formed of two or more persons, upon the terms, with the rights and powers, and subject to the conditions and liabilities herein prescribed, but the provisions of this title shall not be construed to authorize any such partnership for the purpose of banking or insurance." In most of the other states the same object is effected in different modes, as by charters obtained at a trifling expense, and incorporations under particular Acts of the Legislature for the different branches. The strong, and, as it seems to us, the conclusive argument in favor of this application of the limited liability system to all branches of trade and manufacture is, that after ascertaining the advantages to be derived from the commandite principle, it is for those who would except particular branches of trade or commerce to make out a case for this exclusion. The onus lies with them, and with the mercantile experience of such men as Mr. Jonathan Pim to support us, we may assert that in Ireland the system will be received as a great and progressive movement.

Our principal reason for excepting insurance companies is, that such associations tend in no way to advance trade and manufactures, or to effect the great object proposed, by encouraging the union of capital and industry. Such companies could meet but one of the existing evils, the want of a fair and profitable investment of money by small capitalists. This evil, it must be remembered, we should not have to provide for if we had the commandite principle applied to all other commer-

cial pursuits, as an abundance of opportunities would be given for the profitable investment of such small capitals. An argument such as this, we are aware, requires to be used with caution, as, if it were pressed to its full length, it might be made use of to fritter away the demand for an extended and liberal sanction of limited liability by the legislature. Again, however, we entertain some doubts as to the propriety of allowing insurance companies to be formed without very jealous safeguards being imposed on them, as, from the nature and course of their dealing, we consider them as opening a door to fraud with a facility unattainable in any other branch of business. In such companies little or no capital may be called for until many years have elapsed. They enter on the receipt of annual premiums, paid by people who, depending upon their solvency, continue those payments, without having a claim to enforce against the company until the event which has been insured against takes place. Again, as regards the competition between such companies being necessary for the public advantage by having the rates of insurance kept at a fair average, if we can judge from the number and extent of the advertisements which we see every day, there are no new or additional facilities required for the constitution of insurance companies. We rest, however, the case for the exclusion of insurance companies on the ground that they are not adapted in any way to encourage industry, to unite capital and labor, or to increase the material prosperity of the country, and that, as an investment, they would be unnecessary, if not unsafe. We must reiterate our regret at the little consideration which has been given to this part of the question, and the scanty information to be found on the point, and which consequently leaves us unable, finally and satisfactorily, to deal with it. We have little doubt that this system will speedily receive the approbation of our legislature. It is true that we should be thankful for any step taken in the right direction, but we do hope that when a great and important change like this is being effected, that our law-givers will not stultify themselves by the introduction of this system in a narrow or illiberal measure, hampered with restrictions which will render it of little or no avail.

Before leaving this important matter we should mention that one of the first of living jurists, Livingstone, in the code proposed by him for Louisiana, recognizes the application of this commandite law to every branch of trade and manufacture, and

imposes no restrictions as to the extent to which the limited liability system should be introduced. On the general advantage of the system as well as on the utility of its wide and liberal recognition in America, we shall conclude with the following striking passage referred to by Mr. Leone Levi:—"If there be prosperity in the United States, enterprise—full and profitable investment of capital—Steam Boats traversing the rivers and speeding not only along the coasts but to remote parts—a commercial navy traversing every sea and sweeping even to the uttermost parts of the earth—railroads which intersect the entire of that mighty continent—and cities springing up as it were in a single night—this has mainly resulted from the aggregation of small means into large amounts by means of limited partnerships. Capital, energy, industry and skill form a very formidable combination. The cotton spinners of this country complain that they are too many, and have even held meetings and set on foot subscriptions for the purpose of drafting a portion of their number out of the country. The labor market of England may be overstocked, but the United States will receive this surplusage, employ it and pay it with high wages. There, provided they are temperate in their habits, and attentive to the main chance, there is great probability that they will not only do well but prosper. The small cotton spinning factories in America are all doing well. There are no such things as 'short time' nor 'half wages' there. The demand is very much greater than the supply, and so it will be for many a long year. The American factories are founded and worked in this manner—a man of capital in the United States gets three or more good cotton spinners and sets them up in a small factory driven by water power of which there is abundance: (the cost of the first factory established in Lowell was 3000 dollars.) They pay him a rent for the factory, and a partnership is formed to work it. The capitalist puts down a limited sum, say £2000. The men put down what they may have to invest: small sums perhaps, but their real capital in the concern is their labour. There is one partner with money, and three or four with skill. The workmen strain every nerve to gain a profit—for it is profit which alone can give permanence to the concern. They know that in case of loss their monied partners whose £2000 is sunk will leave them. If they succeed they can throw their gain into the concern to increase the capital, and the monied partner would probably join in extending a profitable concern. All this

would be done—it is done constantly—because the law of limited partnership is free there.”*

ART. VI.—THE OLD MASTERS AND MODERN ART.

- 1 *The Irish Institution. Catalogue of the Exhibition of Ancient and Modern Paintings.* Dublin: Browne and Nolan, 1854.
- 2 *Report on the National Gallery; together with the Proceedings of the Committee, Minutes of Evidence, Appendix and Index.* Ordered by the House of Commons to be printed, 4th August, 1853.
- 3 *First Principles of Symmetrical Beauty.* By D. R. Hay, Edinburgh and London: William Blackwood and Sons, 1846.
- 4 *The Principles of Beauty in Colouring Systematized.* By D. R. Hay, F.R.S.E. Edinburgh and London: William Blackwood and Sons. 1849.

It has been said that a man who enlargeth over much about his ancestors may be likened unto a carrot, inasmuch as the best part of him is under ground. An admiration of lineage and descent is a very general feeling amongst mankind, and those who affect to despise it most are often only envious of its possession. An excess of ancestral pride, however, often begets an overweening admiration of every thing that can lay claim to antiquity, and blinds a man's judgment—supposing him to possess any—to contemporary excellence; this bias is especially observable in matters relating to art, or rather to pictures,—as a knowledge of art, and an acquaintance with pictures, are very different things—although many think them identical. For a long time the admirers of the old masters had it all their own way; even Sam Slick bears testimony to

* Since the publication of our last paper on this subject—see IRISH QUARTERLY REVIEW, Vol. III. No. 12, Art I., we have to thank Mr. Jonathan Pim for a very useful and practical little essay on the question. We are happy to find the head of one of the oldest and most respectable mercantile families in Dublin approving of, and advocating the introduction of Commandite Partnerships. There are no better, more intelligent, or undoubted authorities upon mercantile questions than the Members of the Society of Friends; and amongst the Society of Friends, there are no higher, or more honored names than those of the Messrs. Pim.

this, for he says, in criticising pictures, "make out if it's by one of the old fellows, as it is again the law to find fault with them." Connoisseurs, patrons, and collectors, require to be wealthy, and are, therefore, generally aristocratic—hence, old art has always found most favor with them. Latterly, from the frauds of picture dealers, there has been a greater tendency towards the acquisition of works by recent or contemporary artists—but, nevertheless, there is a large party in the art world who can recognise no superior excellence save in the works of the old masters—evidences are apparent in this city of a similar feeling, where, in some quarters, a strenuous effort is making to stem the current of public opinion, which plainly sets in favor of modern art. We have seen it asserted, that, at the recent fine display of pictures in our Great Industrial Exhibition, the preference by the public of the works of the old masters was most evident, although the fact is notoriously otherwise—modern art, as represented in our Exhibition, having had much the advantage of the more ancient productions there displayed. We seek not to depreciate the works of the old masters, neither do we deny the manifold excellencies and beauties their works contain—beauties which have commanded admiration for centuries—and which are at present justly prized and universally appreciated by all laying claim to the refinements of civilization or to cultivated intellect; but there is reason in every thing. It is to the excess of that admiration we most strongly object; the monomania of connoisseurship, which converts the very faults of its idols into beauties, and regards as almost profanation, any hints from common sense to the contrary.

The recent proceedings of the Committee of the Irish Institution, and the Parliamentary Inquiry upon the National Gallery, have suggested our present paper, for there is plainly shown in both, the evidence of a strong effort being made by a small party, to force their extreme views, regarding the superiority of the old masters, upon the public. This party, in their over zeal for the ancient, are quite oblivious of the existence of modern art; in fact its existence is denied; daubers they may be—but artists!

It seems so extraordinary in this age of progress to find Art alone standing still—nay, even retrograding—that it becomes worth the enquiry upon what grounds do those assertions rest; and, therefore, we propose to consider whether those *chef d'*

œuvres of antiquity are really in such preservation as to be fair examples of ancient art, whether originally they possessed the highest attributes of art, and left nothing for future ages to improve upon, and whether, after all, the moderns may not have progressed to a truer theory and practice of art than the older masters.

It is fancied that because we have numerous pictures by the old masters painted two and three hundred years ago which *seem* in excellent preservation, that such pictures are exceedingly lasting and permanent; it is also imagined that the works of modern artists are much less so. These are most erroneous suppositions, and there is ample evidence to disprove such pleasing delusions, in the Minutes of Evidence before the Select Committee on the National Gallery. The quantity of twaddle that has been disseminated upon the medium used by the older artists, and which has been lost, we are told, contributes to sanction this myth; but the decay of pictures, unless they are carefully preserved, is very rapid. Mr. Uwins, for instance, states, that the two pictures bequeathed to the nation by Turner, "The Building of Carthage," and "Sunrise in a Mist," were so much deteriorated as to be unfit to hang in the Gallery without being cleaned; and, notwithstanding Mr. Uwins' opinion as to the risk and danger of cleaning pictures, cleaned they were. His description of the Carthage picture is, that

"It had been hanging for thirty years in Mr. Turner's wretched gallery, where the weather and every thing had attacked it, and the dirt hung over it like dirt from the smoke of a chimney. I was obliged to have the picture taken down to the pavement in front of the door, before we could have it put into the waggon, and it looked almost as if a chimney had been swept upon the pavement."

"There were absolutely large pieces of the color flaking off, owing to the perfect neglect it had been left in. There had never been a handkerchief put on its surface for thirty years, I will venture to say. It was necessary to make the pieces of color adhere again, and to do a great deal to the picture to put it at all in a solid condition."

Oh! it will be perhaps said, this is a modern instance you give us. If Mr. Turner had Van Eyck's medium that catastrophe would never have happened. Well, then, turn we to the Blue Book in which, indeed, we find so much testimony to prove the frequency of cleaning and restoring, that the difficulty is which to select; but we will commence with that of Mr. W. Dyce, R.A.

"Then the natural deduction from your theory, if correct, is, that no picture which has been cleaned can possibly be in a pure state?—I believe my opinion comes very nearly to that, and I am even inclined to believe that there is not a single picture in the National Gallery which has not undergone several processes of cleaning and re-painting.

"Then your opinion is, that there is not in the National Gallery such a thing as a pure picture, that is, a picture that has not been injured at some time and re-painted?—I believe there is hardly a pure picture in the world by the older masters, that is, a picture that has not been tampered with, and undergone some more or less injurious process. Even in the immediate time of Paul Veronese, Boschini says some of his pictures had been injured by injudicious cleaning.

"Then do you think it is time that the public should cease to pay the high price they do for those pictures, if they are only the work of modern restorers?—No; an original manuscript is not the less valuable because many of the letters have been restored in it."

This last instance is not as much in point as Mr. Dyce thinks. If a manuscript is kept merely as a curiosity of calligraphy the analogy might perhaps hold good, but if the manuscript is to be used as a historical document, it becomes of extreme importance that no words be supplied, which from the ignorance or fraud of the interpolator, may alter the original signification. Now the great points constantly dwelt upon by the idolators of old art, is the inestimable value of such works as standards for the study and emulation of artists—therefore it becomes of the last importance that the object of study be a genuine production of the hand of genius, and not the tinkering of a picture-cleaner. The truth is there is a strong idea in the mind of artists that studying or copying from pictures is not the way to make an artist, but fearful of the clamor such an avowal might raise about them, they are cautious of promulgating it. Clarkson Stanfield, R A., happened to make a few observations which were thought to savor of this—he said his experience of old pictures was slight, and he did not profess to be well acquainted with the contents of the National Gallery. And hereupon a fierce outcry arose, until the evidence was published, when it was seen that Mr. Stanfield, in common with every artist of genius and discernment, expressed his admiration of those qualities which really deserve to be admired and prized in ancient art; neither did Sir Edwin Landseer escape, for he has committed the unpardonable sin of becoming a great artist without studying in foreign galleries.

Mr. Dyce is very doubtful that the picture said to be by

Paul Veronese, in the National Gallery, is really genuine—or even if genuine a fine specimen; judged by Boschini's account of the method of painting pursued by Paul Veronese he thinks it could not be considered a genuine work.

Our next quotation is from the evidence of Mr. T. Uwins, R. A. keeper of the National Gallery; he says:—

“It seems to me to be assumed, in all the questions that I have heard upon the subject, that these pictures were in a perfect state. Now there is not a picture in existence that has not been through cleaner's hands, and cleaners of different countries; this ought to be taken into consideration; and when a Committee undertakes to consider the existing state of the pictures, it ought to be borne in mind that every picture has been cleaned and repaired, and painted on; that no picture is found in the pure state in which it originally came from the hands of the painter.”

Mr. W. Coningham—a gentleman who has been a most extensive print and picture collector, gave evidence very similar—referring to his evidence before a former Committee, the following question was put:—

“At that time you gave evidence as to your sense of the great dangers to which, not only in this country, but everywhere, the finest works of art were exposed from cleaning, and the great prevalence of that practice, and the excess to which it had been carried?—I endeavoured to establish, to the best of my ability, before that Committee, the important fact, that the great injury and danger to which old pictures were exposed, arose from the treatment they received at the hands of the picture-cleaners, whom I hold as a class, generally speaking, to be mere empirics, working without any fixed principle, and with a very small amount of knowledge of the principles upon which the pictures were painted.”

There is no doubt whatever of this, and it must be remembered that picture-cleaning and restoring go hand in hand, they mutually contribute to each other's prosperity. When the cleaner has half destroyed the picture, the services of the restorer are in requisition to make good the mischief. Ostensibly it is done by the same individual, but inasmuch as picture-cleaners are hardly ever able to paint, the services of an artist must be put in requisition. If he happens to be clever, so much the better for the owner; but if ability is not to be had, why then, whatever offers must be taken, and a thick coat of colored varnish, put over all the mending, completes the operation, which, in eight or ten years time, another cleaner will have to remove, and another restorer as a consequence, and so on, ad infinitum. Some years ago a most amus-

ing trial took place in the law courts of Dublin, in which a picture-dealer was defendant. The process of cleaning a picture was thus described by one of the witnesses :—"he (defendant) took a bottle out of his pocket, and poured it all over the picture." "Well, what was the result?" "The result was, the picture was almost entirely obliterated." (roars of laughter) "And what did he say then?" "He said he used the wrong bottle." It happened that the destruction of the picture was no loss to the world, as the greater portion of the works he dealt in were sworn to be "not worth bringing home;" but if it had been a Titian, valued at a thousand guineas, or thereabouts, the owner would never learn its tragic fate, as a restorer would have counteracted the effects of the bottle, and if any difference was remarked in the picture afterwards, it would be readily accounted for by the cleaning having brought out beauties heretofore concealed by the dirt, and so exalt the cleaner's reputation. Our readers may think this exaggerated, but we shall have some choice extracts from the Blue Book of evidence to place before them shortly, which fully substantiate every statement. There is no limit, in fact, to the restorers' art. Mr. R. Ford, another distinguished collector, in his examination, when asked as to the possibility of the restorers being able to bring back to pictures beauties which they no longer possess, replies :—

"I do not know what they can do; they can perform such marvels.

"Knowing what picture-cleaners can do, or not knowing what they can do, can you venture to say that any picture by Claude is in a perfect state, or that it is uninjured?—There are three or four at Madrid, and those, I believe, are the only ones I ever saw; those were painted for the King of Spain, and have not even been varnished, but I should be sorry to vouch for almost any picture 200 or 300 years old.

"Then any picture, 200 or 300 years old, by any master, that one may see at a sale, apparently in perfect condition, such as you would imagine a perfect specimen of the master, and possessing all his peculiar characteristics, may, by some process of cleaning, be reduced to the state to which the national collection is now reduced, and may be brought back to a state of perfection by a picture restorer?—That is really such a long question that I hardly know how to answer it, or what part of it to answer.

"You say that the picture-restorer's art is so perfect that it is impossible to tell whether a picture has or has not been injured, and whether it is or is not a pure and uninjured specimen of the master?—It might deceive me, for one; mind, I am speaking for myself alone.

"This picture by Claude, which you say is poor and unsatisfactory, may, you believe, by the restorers' art, be brought back to a state of perfection which would deceive the eyes of the most distinguished connoisseur?—I think if it were sent back to Rome, and left there for two or three months during the summer, you would find that there are restorers there who are capable of doing almost any thing.

"If there are restorers capable of restoring to Claude all his greatest beauties and peculiar characteristics, would not those restorers employ themselves more profitably by painting like Claude's original pictures?—It seems not, by the fact of their continuing restorers; I suppose that it is more profitable.

"But does it not lead to the assumption that there are men at present alive who possess all the great qualities of Claude?—They must possess the great qualities of restoring a damaged Claude; there are particular cleaners who clean particular pictures. I remember in my time that Francesco da Imola's pictures were all the fashion at Rome, and there was a man who restored them wonderfully; and so there may be as regards Claude's pictures.

Chairman. "Was there not a painter at Florence who painted many pictures, and then passed them off as works of the original masters, deceiving very competent persons?—Yes; there is one instance of Andrea del Sarto's deceiving Giulio Romano himself, until he was referred to the rim of the picture, where a particular mark was found, which Andrea had put there, to show it to be his imitation and copy of Raphael. The fact is, what one man can do another can."

By this we understand Mr. Ford to mean, that a highly gifted man in any age, can do as much as ever was achieved in a former, and we thoroughly agree with him, both in this and every other opinion he has advanced. Varnish is a most potent agent in the destruction of pictures, and no wonder dealers are so partial to it—it brings plenty of grist to their mill. Mr. Ford says that the Claudes at Madrid have not been varnished; we should think so much the better, both for pictorial effect and preservation. Sir Edwin Landseer, speaking of varnish, is of opinion that "It is always disagreeable to see yourself in a picture instead of the work of the painter." Clarkson Stanfield also objects to much varnish, and a sky, he thinks, should never be varnished. Sir Charles Eastlake states that "When a picture has been injured and afterwards repaired, it is natural for the restorer to endeavour to conceal those defects by what is called a heavy glaze; half the glazings on old pictures in their modern state are of this kind." This is the mellow tone age is supposed to give, and about the loss of which on the recently cleaned pictures in the National Gallery such a prodigious outcry has arisen. The following

graphic account of the process we find in Mr. Uwin's evidence :—

“It happened that I was copying a picture at that time in Mr. Delahant's room. I was there every day, and he was obliged to make me aware (for there was no possibility of secrecy) of the process he adopted to give what, in the cant phrase is called *tone* to the picture. He had a little vessel filled with Spanish liquorice and ox-gall, and this mixture he used to rub over his picture when he thought an amateur who might purchase was fond of tone, as it was called ; but to his honour I must say, that he used to sponge it off again immediately the gentleman was gone.”

We suppose that if he did purchase, the Spanish liquorice remained, or that a coat of colored varnish supplied the requisite “tone” ! The late keeper of the National Gallery, Mr. Segquier, was thought to be in the habit of varnishing the pictures with a mixture of mastic and drying oil, for the same purpose ; and Mr. Uwins was asked whether at the cleaning of the Paul Veronese he had any reason to suppose that such a process of decoration was used, the answer was “No ; I cannot say that I saw him do it to this particular picture, but it looked very like the same thing that I have seen him put upon pictures.”

Sir Edwin Landseer considered that the cleaned pictures appeared raw only because the eye was used to the former yellow tone, and he supposed that if a sweep's face was washed, people might be found to think the washing a disimprovement. He also stated his opinion that cleaning a picture was a proceeding so exceedingly dangerous and uncertain that it should only be had recourse to as a last resource. He was asked :—

“Do you form that opinion from what you have seen in other galleries besides the National Gallery ?—If you have had opportunities of seeing pictures of the old masters in a perfect state, and afterwards comparing some of those pictures which have not changed hands, with others which have been sold frequently, I think you will find the first in a much purer condition than the others. The first thing whenever a picture is sold, I think is that it goes to a picture-restorer, or a picture-liner, or a picture-cleaner, no matter what its condition is. It is exactly the same thing as when you buy a horse, your groom says he will be all right when he has had a dose of physic through him, whether he wants it or not.

“Am I to understand you to say from your own experience and knowledge of what goes on in the pictorial world, that whenever a picture is purchased, it goes as a matter of course to a picture-cleaner ?—Yes ; and I think it is the usual policy of the picture-

cleaners ; it is a thing one naturally expects ; I should be very much obliged to any gentleman who belongs to that profession, if he would aid me in restoring a picture where it is necessary to restore it, but the thing ought not to be done rashly."

"Your general experience, however, leads you to believe that that process is done rashly in many cases, and that there are very many pictures which have been injured by cleaning?—I am afraid there are."

Sir Edwin, most likely, had other analogies in his mind concerning horses and pictures when he gave the above testimony ; picture-dealers and horse-dealers are much upon a par. Dickens, in some of his writings, wonders how an animal with such noble qualities as the horse, should so thoroughly brutalize those men who come in contact with it. The study of the Fine Arts is unquestionably a noble and refined pursuit, yet it is not found that dealers derive therefrom particularly high attributes ; quite the reverse, as there is abundant testimony scattered through the pages of the Blue Book to show. The evil has, indeed, partly worked its own cure, such were the frauds in picture dealing, and so many instances came to light of manufactured "old masters," that even genuine pictures came to be suspected. Copies, and portions of copies, made by artists or students in foreign galleries, were purchased for a few pounds, as the utility to the art student consisting merely in the copying, he had no object in retaining them ; they were then interlined, smoked, cracked, varnished, or otherwise *restored*, and finally sold as originals at sometimes very exorbitant prices. We remember a few years ago reading an account in the *Art Journal* which would be amusing except for its villany. A collector, showing his gallery to an artist, pointed out one picture for his especial admiration, which he held to be the *chef d'œuvre* of his collection. The artist's astonishment may be conceived on recognising his own work, as it was a copy he had made some years previously when in Rome ; and the dismay of the collector may be imagined also, when the artist directed him to a certain private mark he had formerly made on the picture. When leaving Rome he had disposed of the greater portion of his studies, never dreaming that any would attain to such future celebrity. We fancy numbers of collectors could bear out Mr. W. Coningham who, in his evidence before the Committee, says :—

"With reference not merely to picture cleaning but picture purchasing, I should say that I went through a considerable apprentice-

ship, and that I, like all other men in collecting pictures, made mistakes which I certainly should not do if I had to do the thing over again."

A picture-dealer and a picture-cleaner are one and the same thing; the pursuits are always combined, and the last is often far the most profitable. There are various ills that flesh is heir to, and pictures share the lot of humanity in being subject to the heritage of woe; picture cleaning and restoring is a part of the inheritance, and, if we may judge by the quantity of testimony in the present evidence, they suffer far more from being doctored than if left to the natural decay unavoidably appertaining to things sublunary. Mr. W. Coningham tells the Committee:—

"I never had any picture of importance cleaned. I had one or two small pictures cleaned, and my conclusion after that was, that nothing would induce me ever to entrust my pictures to a picture cleaner."

Judge Haliburton makes his inimitable Sam Slick say that "Experience is every thing; it is hearing, and seeing, and feeling, and trying, and arter that a fellar must be a born fool if he don't know." We have the experience of Mr. W. Coningham, and a very suggestive one it is. Sir Charles Eastlake, in his evidence, fully sustains the fact of the frequent cleanings which pictures receive. He states:—

"When a picture is bought at an auction (as Sir Edwin Landseer said) the first thing the happy possessor does is to put it into the hands of a picture-cleaner, to put it in order, as it is called; and, although that picture may be sold twenty times over in the course of a very short time, the same operation is always repeated."

We also find Mr. D. Roberts, R.A., stating his objections to cleaning:—

"As I mentioned before, I myself am averse to picture-cleaning; my own experience of these things is, that all pictures suffer from the process, and I do not think there is any rule that can be laid down, however experienced a cleaner may be, which can be a safe one, for this reason, that no two painters paint their pictures on the same principle; no painter, through the whole course of his life, paints his pictures with the same materials; he changes his materials, and I defy any man to lay down a rule which shall be of general application.

"I may say that I am very much averse to cleaning, generally, from my experience of it. I think it only a question as to the amount of injury."

Mr. Dyce thought it extremely dangerous to venture upon cleaning a picture at any time. In fact, the evidence upon the danger and risk of cleaning pictures is most unanimous, as well as the universality of the practice.

With regard to the question as to whether glazings were used by the old masters, there was some discrepancy, more apparent than real, however. Mr. Uwins pointed out the great difficulty experienced to ascertain whether the peculiar finishing on a picture was the work of the artist or the picture-cleaner. That glazings were used in finishing by the old masters there can be very little doubt, as the feasibility and advantage of the process would occur to any tyro after a week's practice, from the very nature of his colors, some being opaque and others transparent; but it is very doubtful that glazings were used to the great extent practised by some modern artists, which amounts to an abuse. They probably painted as much as they could solidly, and only glazed when it was essentially necessary, to bring up the effect; and this is the modern system also, at least amongst clever men. Any one, at all conversant with the practice of painting, will see the absurdity of the supposition, that any artist would go over the entire of his picture with a warm glaze, as it would be utter destruction to all the cool half tones upon which so much of pictorial beauty depends. In fact, it is a weak invention of the enemy, the picture-cleaner.

Sir Charles Eastlake, in his evidence, took occasion to acquaint the Committee with a story he had accidentally heard concerning the painting of the Boar Hunt, by Velasquez, in the National Gallery. Several years ago, before the picture became the property of the nation, this picture was sent to a Mr. Thane to be *restored*, and restored it was, in manner following; that is to say, the person whom Mr. Thane employed to line the picture, in going over the back of it with a hot iron—the usual practice in such cases made and provided—injured the picture to such an extent that Mr. Thane nearly lost his senses: large portions of it flaked off, and the bare canvass became exposed. In this awful dilemma the only thing considered was how best to conceal and patch up such cruel devastation, and, as usual, they sought about for an artist, and Mr. George Lance was ultimately induced to work upon the picture. Sir Charles Eastlake mentioned this circumstance in order that the Committee might ascertain its correctness by

examining Mr. Lance. That gentleman accordingly, appeared before the Committee, and fully corroborated the entire story ; but it is so suggestive that we will give the tale in Mr. Lance's own words. Sir Charles Eastlake's evidence touching this matter was read out for Mr. Lance by the chairman, Colonel Muir, who then said :—

“ Now, I wish to ask you what are the facts, with reference to that picture of Velasquez, as far as they have come within your own knowledge?—I think, about twenty years ago, a gentleman called upon me, stating that a picture was in the possession of a dealer I had not the pleasure of knowing, and that it was a picture of great importance.

“ Was it Mr. Thane who called upon you?—No, it was a mutual friend, a Mr. Thomas ; the picture, I believe, had formerly been in the possession of the King of Spain, where Lord Cowley had been ambassador. Lord Cowley placed it in the hands of Mr. Thane, to keep, but not to repair ; he kept it, I believe, for many years, and after a considerable time, Mr. Thane, as I heard afterwards, had been commissioned to clean the picture and reline it.

“ Do you know by whom he was commissioned?—I believe by Lord Cowley, as far as I know. A colour-man was employed to reline the picture, a most skilful man, and in relining it I understand he blistered it with hot irons. I do not know the process of lining pictures, but I believe that in the process hot irons are used at the back. When the picture was returned to Mr. Thane in this condition, it naturally distressed him very much ; he was a very conscientious man, and he became very deeply distressed about it ; he saw the picture passing over his bed in procession ; after a certain time he thought it got worse, and that the figure of it was more attenuated, and at length he fancied he saw a skeleton ; in fact the poor man's mind was very much injured. It was then proposed that he should employ some painter to restore the picture, and three persons were selected for that purpose ; Sir David Wilkie, Sir Edwin Landseer, and myself were mentioned, but it was supposed that neither Sir David Wilkie nor Sir Edwin Landseer would give his time to it, and that probably I might ; and therefore the picture was placed with me, with a representation that if I did not do something to it serious consequences would follow to the cleaner. I undertook it, though I was very much employed at the time, and, to be as short as possible, I painted on this picture. I generally paint very rapidly, and I painted on that occasion as industriously as I could, and was engaged for six weeks upon it. When it was completed Lord Cowley saw it, never having been aware of the misfortune that had happened to the picture ; it was then in Mr. Thane's possession, and remained with him some time afterwards. From that time I saw no more of the picture until it was exhibited in the British Gallery some time afterwards, where it was a very popular picture, and was very much thought of ; since then I have heard it was sold to the nation, and twice I have seen it in the National Gallery. I saw it only about a week ago, and I then thought it was not in the same

condition (indeed I am certain it is not) as when it was exhibited in the British Gallery formerly, after I had done it.

"What was the state of that picture when it came into your hands?—There were portions of the picture entirely gone.

"What portions?—Whole groups of figures, and there was a portion of the foreground entirely gone also.

"Do you mean that celebrated group which is so often copied; the man in a red coat?—That is original; I think that any man with any knowledge of art will see at once that that is original, and I am only surprised that it has not been seen that other parts are original also.

"Which portions of these groups did you chiefly restore?—You are very near the mark when you speak of the red coat; it is the group on the right hand; the outlines were entirely gone.

"Do you mean to say that the whole of the paint was removed from that part of the picture?—Entirely.

"Was the canvass laid bare?—Entirely.

"*Mr. Labouchere.*—What guide had you in repainting those groups?—Not any.

"Did you repaint groups that you yourself imagined and designed?—Yes.

"*Lord W. Graham.*—Did Lord Cowley not distinguish any difference in the groups?—Not any.

"*Chairman.*—What was the extent of paint wanting on that group which you say you repainted on the right; was it a portion as large as a sheet of note paper?—Larger, considerably; the figures themselves are larger than that.

"Was it as large as a sheet of foolscap?—About that size, I should imagine.

"There was a piece of the original paint wanting as large as that?—Yes, in the foreground.

is "It was totally wanting, and the canvass to that extent laid bare; that so?—Yes.

"And on that bare canvass you painted the groups of figures we see now?—Exactly.

"Will you have the goodness to describe to the Committee any other portions of the picture where the paint was in a similar or in an analogous state?—The whole of the centre of the picture was destroyed, with slight indications here and there of men; there were some men without horses, and some horses without men.

"That is in the arena?—Yes.

"You are speaking of the figures on horseback?—Yes; some riders had no horses, and some horses had no riders."

There are 63 square feet in the Velasquez, and at the time Mr. Lance was requested to re-paint it, according to his own showing—the sky was very much damaged—the whole of the centre of the picture was in the same condition, with only slight indications here and there of men; about three square feet on the right was totally wanting, and the canvass to that extent laid bare. The portion denominated the arena, containing the mount-

ed figures, was not so far gone, though it gave one more the notion of a dissolving view—some portions being bright enough—others partially—and others entirely gone; nearly the whole of the wood, and the entire of the green landscape was put in by Mr. Lance, so that the Committee began to think there was more Lance than Velasquez in the picture, and some very home questions were put to make this matter plain. Mr. Lance, however, wished to draw a distinction between painting and going over an object with his brush—to our view both procedures are very similar:—however, to the question. “May we assume wholly or in part your brush went over fully one half of that picture?” he answers, “if you take the number of square feet, a great deal more.” “So that a great deal more than half of that picture is your picture, and not the picture of Velasquez?” “The surface was mine.” And further. “You believe that about one eighth of the canvass, when the picture was purchased by the nation, was the pure untouched painting of the original master?” “Yes, but rather an important part.”

So much for the history of the Velasquez & Co., for without doubt there were other partners in that firm ere now besides Mr. Lance—sure we are that Mr. Thane gave a final enrichment with his pot of spanish liquorice.—Oh! Mr. Lance, thou’lt never be forgiven by the picture cleaners—thou mightest have painted upon old masters to no end—so only that thou heldst thy tongue—but thus to tell the secrets of the prison house—“’Tis flat burglary as ever was committed.”—The time may come, oh! Lance, when the matchless creations of thy pencil will get into the hands of the Philistines, and with their oils and unguents, they will serve them as the painted effigy of old Shakspeare was treated in Stratford Church, and thou mayest now exclaim prophetically, in the words of Charles Lamb, “Methinks I see them at their work—these sapient trouble-tombs.”

There is hardly an artist who has not some similar tale to tell of picture restoring. Sir Charles Eastlake says, it is only one out of a hundred instances; and it is not a little remarkable that he also had some restoring to do in the National Gallery—as shown by the following evidence of Mr T. B. Brown:—

“Could you mention in a manner to be intelligible to the Committee, without having the picture before them, in what part of the picture repairs were? The principal of those repairs were on the back of the Juno, which he, (*Sir Charles Eastlake*) mended in a most exquisite manner; no artist living could have done it better.”

"Have those repairs ever been discovered or noticed by any of the critics or visitors of the gallery?—No, I never heard that."

This is equally mortifying to connoisseurs, as the former revelations are to the dealers, for they are wont to pique themselves upon their infallible judgment—it is therefore dreadfully annoying to find that they have been so successfully befooled. During Mr. Dyce's examination he was asked:—

"Is it not the fact that amateurs or artists, who have the credit of being good judges of pictures, are in the habit of telling you that when they see a picture at Christie's sale, they can detect almost intuitively any actual repairs that have been executed on the surface?—I think it is very difficult in many cases, to do so; I am sure there are many cases in which no amateur, not even an artist, could pronounce with certainty the extent to which repairs have been carried."

"Then you think that in every case in which you have observed something wanting, or in which you have found some blemish upon the nine pictures that have been cleaned, it may possibly be that that is owing to the removal of something painted in, after the original master, by a repatcher of the picture?—I think so; I think it very difficult even for a cleaner himself to tell whether he has removed a re-painting or part of the original work, especially when that re-painting is of an old date."

Mr. Lance, however, attains the climax in his account of a visit he paid to the British Institution when the Velasquez was exhibiting; it was after he had been engaged upon it—and he most ingenuously says,—

"Many years ago, when the picture was at the British Gallery, I was invited by a member of the Academy to go and look at it, and when I went there, Mr Seguer and Mr Barnard (who was also a picture cleaner) were present. They said 'I know what you have come for; you have come to see this magnificent Velasquez.' I said, 'Well I have' and with the greatest simplicity in the world I said it gave me a notion that some part had been much repaired and painted upon; upon which Mr Barnard, the keeper of the British Institution, said immediately, 'No, you are wrong there; we never had a picture so free from repair in our lives.' I did not think it at all desirable to make any statement that the picture had been injured unknown to Lord Cowley, as I had thought that the best thing I could do was to restore it as well as I could, in order that he might have his picture returned him as near its value as I could bring it."

Now this is exquisite—the self-satisfaction and confidence of those judges of art is worthy of Mr Morris Moore; we are certain that if Mr Lance had been rash enough to attempt the undeceiving of those connoisseurs, they would not have believed

him ; but there is another of Mr Lance's experiences, which even transcends the Velasquez history.

Colonel Muir. Have you ever restored any other picture "in the ordinary course of your professional practice ? During the time I was engaged upon that picture at Mr Thane's, he had a picture belonging to the Archbishop of York, to which rather an amusing thing occurred.

"What was the subject of it ?—It was a picture of Diogenes in Search of an Honest Man, by Rembrandt ; a portion of it was much injured. Mr Thane said to me, 'I wish you would help me out in this difficulty.' He did not paint himself. I said, 'What am I to do ? tell me what you want ?' He said 'There is a deficiency here.' What is it ?' I said, 'It appears to me very much as if a cow's head had been there,' He said, 'It cannot be a cow's head, for how could a cow stand there ?' I said, 'That is very true, there is no room for her legs.' I fancied first one thing, and then another ; at one time I fancied it was a tree that was wanting, and at length I said, 'Well, I will tell you what will do ; if you will let me put in a black man grinning, that will do very well, and 'rather help out the subject.' He said, 'could you put in a black man ?' I said, Yes, in a very short time ;' and in about half an hour I painted in a black man's head, which was said very much to have improved the picture. Shortly afterwards Mr Harcourt came in, and seeing the picture, he said, 'Dear me, Mr Thane, how beautifully they have got out this picture ; my father will be delighted ; we never saw this black man before.' And that is the extent of my picture repairing.

"*Mr. Labouchere.*—The picture into which you painted the black man had not been injured by accident while it was in the picture-cleaner's possession, had it ?—Not to my knowledge.

"So that the artifice of adding that figure could have had no object except unduly advancing his reputation as a picture-cleaner, by producing an effect which was a complete deception on the person who employed him ?—The picture had been injured in that portion, and wanted repairing ; it was sent to him to repair it, and he could not make out whether it was a portion of a figure or what it was, as you frequently find to be the case in damaged pictures.

"*Colonel Moore.*—Did you think it a fair transaction in him, without informing the person who confided the picture to him, to place the black man there ?—That is a matter of opinion as to his moral principle under a peculiar circumstance.

"Do you consider that, among picture-cleaners generally, it is considered fair and honest to paint in figures where they appear to them to be wanted ?—All I can say is, that if I were to entrust a damaged picture to a cleaner, I should be satisfied if he had done his best ; and if he turned it out to my satisfaction, I should not question him as to how he did it.

"If a painter painted in a black man, and said, 'I have done it, and I hope you will be satisfied,' that might be fair ; but do you think it would be fair in a man to paint it in, and then lead his employer to suppose that it was there originally, and that it was only restored ?—

That is assuming a position which is not warranted by what I said. He may have done so."

As Mr. Lance seems doubtful, we must, of course, give Mr. Thane the benefit of the doubt; but we think, judging by the antecedents, it ought to be a doubt of the most attenuated description, for we know such revelations are not usual amongst the fraternity. We have quoted so much of the evidence that tells against picture cleaning, it is only fair to quote something on the opposite side; and we find the evidence of Mr. Morris Moore the most suitable for this purpose. He is a picture-dealer, and, by his own showing, a most profound judge of art; to him, in fact, is due the merit of originating the Enquiry into the management of the National Gallery. He happened to be in the Gallery on a certain day as a student of art, and was horrified at witnessing the faces of the pictures being washed with soap and water, just like Christians. He did not remonstrate, for he had, he tells the Committee, a vivid recollection of the results of his former interference, and he had no wish to experience a repetition—but he did better, for he rushed into print, and, in the columns of the *Times*, his imitation rattle became very like real thunder.

Mr. Morris Moore delivereth himself thus:—

"*Mr. Hardinge.*—Does picture-cleaning, in your opinion, require a very long apprenticeship and training?—It requires a very great knowledge of art.

"Do you think that most of our distinguished artists understand picture-cleaning?—I am not aware that we have any distinguished artists; but I am fully convinced that a really distinguished artist would understand picture-cleaning.

"Then, on your own showing, this Gallery cannot be properly superintended?—I have not said that none but a distinguished artist should superintend the National Gallery, but that a really distinguished artist would be a fit person.

"I understood you to say you thought the form was unexceptionable, but that you found fault with the person to whom the superintendence was entrusted?—Exactly.

"But if there are no distinguished artists fit to undertake the duty, what would you do?—The best I could, and that would not be to place at the head of the National Gallery one who had no claim to the title either of artist or connoisseur. I should endeavour to find some one who had given incontestable proofs of a superior knowledge of the works of the great masters.

"*Mr. Charteris.*—Do you consider that Sir Joshua Reynolds was a distinguished artist?—Yes.

"Wilson?—Yes.

"Hogarth?—Yes.

"Turner?—No; Turner's early works certainly indicate a good feeling for colour, but he is absurdly overrated. The hanging of two such pictures as the Turners in the National Gallery, in the immediate vicinity of some of the finest Claudes, and other noble works, and facing the 'Raising of Lazarus,' one of the greatest pictures in the world, is a disgrace to the country.

"Do you consider Etty to have been a good painter?—No, certainly not."

So, we have no distinguished artists, and the astounding discovery is due to the acumen of Mr. Morris Moore. What, oh! what will become of Sir Edwin Landseer, Sir Charles Eastlake, Clarkson Stanfield, Daniel Maclise, William Mulready, Ward, Danby, Frith, Lee, Cooper, Creswick, Pyne, Harding, and others, or will the censure resemble the effect of "my Lord Abbot's terrible curse," as sung by Ingoldsby:—

"But what gave rise
To no little surprise,
Nobody seemed one penny the worse."

The discovery that a knowledge of picture-cleaning is essential for the making of a great artist is no less surprising. Until enlightened by Mr. Morris Moore, we thought that there was no resemblance whatever between the amount of genius necessary for the producing of a work of art, and the ability to take the dirt off its surface; but, perhaps, he reasons somewhat after this fashion.—Only a distinguished artist can be a picture-cleaner—I am a picture-cleaner—ergo—I am a distinguished artist. He will allow, however, Sir Joshua Reynolds, Hogarth, and Wilson, to be distinguished artists; but denies that rank to Turner and Etty; the former, he says, is absurdly overrated. Hear that, oh, Ruskin! He allows, indeed, that some of his early works indicate a good feeling for color, but his pictures in the National Gallery, he thinks, are a disgrace to the nation. The facts are quite the reverse of this; Turner's earlier works contain many indications of that study of old pictures so much recommended by Mr. Morris Moore and others; and it is his latter works that show such a knowledge of the effect of light and color—a knowledge gained by long and careful study of nature. Walpole writes, "Hogarth, as a painter, has slender merit," and that he is "more a writer of comedy with his pencil than a painter," opinions which elicited a most spirited and triumphant vindication of Hogarth from the pen of Allan Cunningham, already quoted in a former

paper.* Schlegel, writes that Hogarth, "painted ugliness, wrote on beauty, and was a thorough bad painter." Mr. Morris Moore will, therefore, see that great men are often mistaken in their estimate of each other. We cannot understand why he quotes for the Committee the two opinions upon picture cleaning. Mr. Uwins he takes every occasion to sneer at, and his opinion is rather in favor of the picture-cleaners; whereas that of Sir Joshua Reynolds, whom he professes to admire so much, is altogether against them, as is thus proved:—

"Mr. Uwins, in his letter to Sir C. Eastlake, published in the Minutes of the Trustees, 1845-6, says, 'I cannot but look with great respect and veneration on the art of picture-cleaning.' On the other hand, Sir Joshua Reynolds, an authority scarcely inferior, had the greatest aversion to picture-cleaners. In his 'Journey through Flanders and Holland,' wherever he describes a picture as feeble and out of harmony, he immediately concludes that it must have been in the hands of some picture-cleaner."

Mr. Morris Moore tells the Committee that all the evidence is worthless with the exception of Mr. Nieuwenhuys'—we presume he must have also intended to except his own; he thinks a distinguished artist must be a great judge of art:—

"who drives fat oxen should himself be fat."

He deems it impossible that any one could produce a great work of art, and be a bad judge of a work of art—only a profound judge of the works of the great masters can by any possibility be deserving of the title of an artist; he has every where studied the great principles of art, but not by a bigoted preference for a particular school—admires the works of the greatest period of art in Italy; but has no exclusive taste—admires what most deserves admiration—and whenever he sees a work displaying principles that should be common to all schools admires it—be it Dutch, Spanish, or Italian. The Committee ask what confidence they can have that he recommends the best course of study, and inquire if it has not resulted, in his own particular case, from his plan of study, that he gave up the profession of an artist, and took the profession of a picture-dealer—he acknowledges that there certainly had been a change in his pursuits—his efforts, the result of years and years of study, were not appreciated—and the fond expectation of reviving in his own productions the beauties of the old masters proved fallacious;—in fact the public was base enough not to admire—he must therefore abandon the art—

* IRISH QUARTERLY REVIEW, Vol. I. No. II. p. 339

or alter his system, and thereby prefer the triumph of daub over master-piece : the fault was in the public taste, not in him. The greatest ignorance with respect to art prevails, fine works in auction rooms bring low sums—daubs instantly command thousands ! If “The Bacchus and Ariadne” was in an auction-room and not known, it would bring nothing like a Titian price. The Committee at length overwhelmed by such egotism, asked if he meant that no one in Great Britain but himself could appreciate it,—he further stated his reason for thinking public taste so vitiated was caused by the extravagant purchases of modern works, which *are all* of a very corrupt style—and the utter want of appreciation of the works of the great masters. He does not form that idea exclusively from auction-room experiences, but still he thinks them not a bad test—and he considers the taste and judgments of the Trustees of the National Gallery quite as bad as that of the public. His assertions regarding good works of the old masters bringing low prices are contradicted by others, who have just as good opportunities of judging as he can possess ; indeed most of his assertions are contradicted by other witnesses—he has, however, provided for this contingency—as he makes no secret that all opinion, save his own great doctrine, is utterly worthless. We have dwelt at this length upon Mr. Morris Moore’s evidence because there is a small party who share his opinions to the letter, and who make up by assiduity and declamation the want of numbers. There is a great deal in the feeling with which any object, either in nature or art, is looked at—and it influences our perceptions to an extent few are aware of. Thus admirers of the works of the old masters are prepared to like them—and even that which at first appears a fault, is, from the conviction that it must be right, converted into a beauty—on the other hand, this admiration of ancient art makes that which is modern seem less excellent to a mind so biassed ; and therefore it is, as if the deficiency were real it was the knowledge of this fact which made the ancients typify love as blind.

The signs by which this party may be known are a thorough advocacy of the principles, and study of the works, of the old masters—and a contempt for modern art—modern taste, and especially art unions. Hazlit is an authority we will quote against Mr. Morris Moore, and those who think with him : he says, “a constant reference to the best models of art necessarily tends to enervate the mind, to intercept our view of nature,

and to distract the attention by a variety of unattainable excellence. An intimate acquaintance with the works of the celebrated masters, may indeed add to the indolent refinements of taste, but will never produce one work of original genius." In practice, it is exactly so—those who are distinguished for being good copyists are seldom good anything else—and of the students of art, it is those who show most promise evinced by their excellent copies of the old masters, who never arrive at professional eminence; yet in the face of those facts, the same studying and copying is still most determinedly insisted upon, and although it is known that most of those artists, who have attained to a high position in art, did not pursue such studies—the delusion is still paramount—and if it is discovered that any of those artists in their earlier career did happen to study in any School or Gallery,—it is thenceforth assumed that all their celebrity is owing to it—The truth is, it is only when an artist has made considerable progress in his profession, that a study of the master-pieces of antiquity becomes of real service—and how do such artists study?—Not by making servile copies—they leave that to amateurs—but by roughly painted in notes of effect, of color, of light and shadow, and of composition—and occasionally bits out of pictures—rarely is the drudgery of copying an entire work resorted to. Excellence in any pursuit is always accompanied by originality; no man attains to celebrity by imitating another—on the contrary, such plagiarism always rouses disapprobation, and entails failure. It is highly probable, nay almost certain, that the fine works of the old masters have really proved more a disadvantage than an advantage to the progress of art; for being set up as standards of imitation, they rather tend to making art stationary—the instincts of genius prompting to new paths yet checked as aberrations from ascertained excellence. If architects had confined their studies to the Greek masterpieces, where would be our magnificent gothic style of architecture?—We are now content to admire and imitate it, but a century ago the style was in such disrepute as to be considered barbaric; a party of classicists contemning it as Mr. Morris Moore condemns modern art—and setting up in its stead a blind adoration of the antique, which produced as its fruit the mongrel style sometimes termed Italian. Genius stimulated by exigency will always take a new direction—the difference of climate, of race, of thought—and above all of religion—eliminated the gothic style;

and such is ever the tendency of genius, unless unduly trammelled by precedent.

There is an opinion entertained by many, that the fine arts are in their nature unlike the exact sciences, that they do not progress, with the accumulative knowledge of each succeeding age, to final truth.—The history of art will show this to be a false view—it would be strange indeed if art formed an exception to the great law of progress evident in all nature ; it is an idea that has arisen from the too generally received notion, that perfection in art has been reached by the old masters : we purpose to show, or at least to endeavour to show, before concluding this paper, that in many essentials their works are most efficient ; we think it is tolerably clear to an unprejudiced mind, from the evidence already quoted, that their works are are not now as good examples of art as when produced, caused by the inevitable effects of time, as well as the cleanings and restorations : whether they had really attained to the highest perfection, and embodied the true principles of art, becomes the next question.

The distinguishing characteristic of the arts during the fifteenth, sixteenth, and seventeenth centuries, was the large infusion of religious feeling they evince ; whether the moderns are less religious—or that the printer's calling has substituted the painter's in those respects, it is certain the religious element is much less evident in modern art : the old masters painted most of their great works for churches ; kings, and noblemen, were, with the clergy, the principal, almost the only, patrons—the former commissioned pictures of sacred subjects for oratories and private chapels ; it must also be remembered that in the countries where art flourished most, churchmen occupied prominent places in society, and largely influenced governments ; therefore a religious tone must have prevailed in courts and amongst the aristocracy—even from policy this effect would follow where the clergy have much influence—added to this, there must have been a more serious, almost a gloomy tendency in the mass of the people—they had few amusements compared with the moderns, and for the most part, war and religion formed the general topics.—Thus the arts were in consonance with public taste and feeling.—The great works were painted to be looked at in places devoted to the most serious thoughts, and thus ministered to devout emotions. Those times too were less critical than the present, and things were

more readily taken for granted: how different are such subjects when seen in uncongenial situations—or viewed under antagonistic feelings!—How different the martyrdoms, incidents in the lives of saints—and sacred subjects, generally appear, when viewed along with the heterogeneous contents of a gallery.—With many a feeling of horror at the cruelty portrayed will be uppermost; others again will be provoked to risible feelings by the self-same subject which has ere now suggested the highest thoughts of which man is capable. It is made a charge against modern art that it rather eschews such subjects—but as well might the public be blamed because it is not like the public of the middle ages, art has always been an exemplification and exponent of the idea of the age—and although it leads still it forms part of the host. Would the majority of collectors choose in preference the subjects we speak of, if they could have others—as good specimens of the various masters? Assuredly not. It may even be questioned if the great works which adorn the churches on the Continent, and which have all the impressive accessories calculated to influence the mind—produce any thing like the religious fervor which they formerly elicited. In this country, at all events, the public taste is decidedly in favor of *genre* pictures. Landscapes, scenes illustrative of domestic life, and historical incident, these are the subjects which enlist our sympathies—and who shall say that having always before the eye a beautiful rendering of the scenery of nature, will not excite the mind to a worship of the God of nature, and predispose to thankfulness and love; who shall say that pictures illustrative of every day duties, and domestic virtues, will not be a suggestive incitement to their practice—yet because such are preferred to works intended for a different age and another people, public taste is described by the Morris Moores as most corrupt, and art as dead.

The great superiority attributed by connoisseurs to the works of the old masters is deemed to consist in a high aim, evinced by their choice and treatment of subject. But their choice was the taste of the age, and it is absurd to censure modern art for not taking a similar direction, although no longer in accord with the general bias and feeling of the public. But the public taste is said to be corrupt, and art is called upon to educate and refine it, by bringing it back to that of the sixteenth and seventeenth centuries. Is philosophy and literature prepared to make a similar retrogression, because, if not, there

will be small use in art making it; and, even if such a retrogression did actually occur, it is very doubtful that the mass of society would follow. But was the treatment of sacred subjects, adopted by the old masters, of a high character, intellectually considered? Was it not, on the contrary, a most gross rendering of things spiritual, abounding with earthly images and vulgar symbols, and is not modern art at this hour hampered and shackled by those conventionalities which have descended as a legacy from the older practice—the allegories, the clouds, halos, wings; such angels and such devils! all remnants of mythology, imported by the Greek artists who overspread Europe during the dark ages. It will take a long period to free art from those trammels, especially when their adoption and imitation is so sedulously inculcated; most of the absurd flights of modern artists are a consequence of such teaching. Modern feeling says, why select a class of subjects which, in their pictorial rendering, must involve absurdity, when another range is open; why attempt to portray what “eye hath not seen, nor ear heard, neither hath it entered into the heart of man to conceive?”

There is no vulgarism more frequent in old art than the introduction of a halo behind the head of saints and holy men; it is constantly used in the representation of the head of Christ, although there is not the smallest sanction for it. In the Byzantine schools of art, and down to the time of Cimabue and Giotto, it was represented by gilded rays behind the head; as art progressed this barbarism was discarded, and color was made to give the idea of light. There is in the Exhibition of the Irish Institution, now open at the Royal Hibernian Academy, an excellent example of this practice, No. 96, “*Madonna Dolorata*,” by Carlo Dolci, which is held in great repute by copyists; although what advantage is to be gained by studying such a crude mass of deep inharmonious blue, opposed by a small spot of yellow, it is difficult to conceive. If such a miraculous emanation really had existence, it would pervade the whole head and countenance, and not appear as if a bright spot on the wall behind; but, as the gold originally used could not effect this, when the art of representing luminosity came to be understood, the old practice was still adopted. There are a few pictures of the Nativity, in which the Infant Jesus is made to illuminate the picture, all the objects receiving their light from the child; this is a more poetical rendering, but is,

nevertheless, a departure from fact. In the Dublin Great Industrial Exhibition there was a modern picture belonging to the Belgian school, representing this method of treatment; the Infant Jesus was represented as incandescent as the iron in a smith's forge at white heat—such an extravagant departure from truth and nature is, of course, disagreeable to refined taste—had such an emanation of divinity been witnessed in Bethlehem there would have been no such thing as an unbeliever. It is unfair, however, to blame modern art for this practice, as it is merely the result of studying old masters and old principles.

Some will have no art that is not what they call creative, and this supposed quality is made to palliate all manner of absurdity. Creation is the attribute of divinity; to man is given the power to combine only, to draw inferences, and make deductions, more or less approaching to truth, but not to create. The All-wise has thought fit to use the creative power sparingly, and constantly produces combinations of new form from types which he has already created; and yet man seeks to claim this mighty power. There has been more flowing verbiage, and high-sounding bathos, written upon this "creative power of art," than upon any other art topic; and such essays possess the common distinguishing mark, that after their perusal one is as wise as before. The sneers at landscape painting arise from this morbid feeling. Fuseli spoke of landscapes contemptuously as "those things called views;" but were his "creations"—his insanities upon canvass—preferable? "Oh, Mr. Fuseli!" said a lady, "you should have been here last week, there was such a subject for your pencil: a man was taken up for eating a live cat"! There was keen satire in this, for Fuseli thought he painted terrors; but it is difficult to tell whether the ludicrous or the horrible most predominate in his works.

Landscape art, of all others, requires the keenest appreciation of the beautiful, both with regard to color and form; nature, in its ever varying phases, is constantly affording fresh scope for study and contemplation. An enthusiastic landscape painter can scarcely be other than a good man. His pursuit, like the study of astronomy, has a tendency to produce religious fervor. Landscape was not the forte of the old masters, amongst whom Claude was the most distinguished, but the modern school of English landscape is infinitely superior; all the Claudes we have seen give the idea, in point of composition, of odds and ends put together, such as now a days might be concocted from a few old prints: they do not

convey the idea of natural effect and truth; there is a conventionality about them most opposite to nature. Let the Claude, in the Exhibition of the Irish Institution, No. 84, "Landscape," be compared with Turner's "Italian Landscape," No. 73, hanging near it, and although this is not a fair specimen of Turner, as it is too much an imitation of the old style, but, as a work of art, it is far beyond the Claude, which is, nevertheless, a very good specimen of the master—quite as good as the "Queen of Sheba" in the National Gallery. In Claude, and others of the old masters, the figures introduced into the landscapes have often the effect of pigmies, and this results from a want of attention to the laws of perspective. Any one can see, by a little attentive study, the different ratios of foreground figures to the distance, in pictures and in nature; modern works show a much closer approximation to truth in this respect, as we shall have occasion to allude to more particularly in the concluding portion of this paper. But those conventionalities in the older works do much harm to the student, as it leads the eye to take a false estimate of proportion, with which the mind is apt to rest satisfied.

The study of old pictures has been productive of an especial detriment to the progress of Art, in respect of the false idea of force which is inculcated—the very opposite of nature's—which is a force of light and color, and not of blackness, or rather brownness. It is probable that originally those works were less brown in the shadows, but in most of them the shadows never could have been cool; yet in nature there is nothing so marked as that the lights are of warm tone, and the shadows cool grey; this effect takes place by reason of the natural laws of color. When any one color is strongly developed, its opposite or complementary, is also present although less evident; thus the general color of light or sunshine being of a yellow tone, the shadows partake of purple, the opposite. In the Exhibition of the older works now in the Royal Hibernian Academy, there is not a single picture in which the shadows are not a decided red or brown—we would particularly instance the shadows upon the flesh in the "St. Sebastian," by Spagnoletto, No. 106, which are so deep as to be with difficulty distinguished from the dark back ground. It is almost impossible to think that in its original state this picture could have presented this appearance, and it is equally difficult to believe that any darkening, either from

the natural change in the oils, the coming through of a dark under-ground, or even the colored tonings of picture dealers, could have so changed the picture. The effect is as if the figure were in a dark cavern, lit by a lamp, but the account of the martyrdom is, that the saint was bound to a tree, and shot to death with arrows, in the broad day light. Guido's picture of the same subject, No. 118, furnishes another example, as indeed does every picture in the room more or less. Guido's, however, shows plainer indications of the cleaning process, as the flesh tints are quite gone. This would be a painful subject to look upon, but that the idiotic abstraction evident in the expression of the head, enlists one's sympathies as much as if the arrows were entering a bag of flour, to which indeed the perforations bear more resemblance than to arrow wounds; the barbed point of an arrow makes a cut which bleeds copiously, but here there is scarce a drop of blood flowing. It may be said that to paint it naturally would be revolting—granted—but is it not an argument to prove that such subjects are unfit for the painter's art. It is from the study of such brown pictures that the eye becomes so accustomed to them as not to endure the true rendering, which is pronounced crude, and wanting in depth and richness,—as the use of stimulants when indulged in over much, renders their continuance a necessity,—so does the eye become accustomed to certain false tones and forms—until at last it deems them true. No doubt this effect operates conjointly with the willingness to be pleased, already alluded to in producing that enthusiastic admiration of the old masters so often observable amongst connoisseurs.

We have alluded to the absence of correct perspective in the older works of landscape, but this want is even more evident in the large figure subjects, when constantly groups of four and five persons are represented of nearly equal size, although it is impossible that in a natural group they should appear so; in such compositions the group is necessarily supposed to be but a small distance from the spectator, and in this near proximity, a further remove of even a few inches becomes most apparent to the eye (that is to an educated eye) by the consequent diminution. Another practice of the old masters, equally at variance with the truth of nature, was representing figures larger than life size—denominated sometimes the heroic size: as painting is to represent

nature not as she *is*, but as she *seems*, the falsity of this is a once apparent. No. 36, "Musical Concert," by Caravaggio is an example of the practice of both those false principles, the more remarkable as Caravaggio is said to have been a follower of the *Naturalisti*; compared with this picture how truthful and natural seems Rembrandt's magnificent "Burgomaster," No. 40, hanging immediately under; when we use the word natural we of course make some allowance for the inevitable yellowing of the material used, and apply the term more particularly to the drawing and proportion: this picture is an example of the way in which a figure may be represented life size without a departure from natural effect; for as the entire figure is not shown, the eye is satisfied that it is on a plane with the base line, (or edge of frame,) and therefore expects life size; but when a whole length figure is delineated, showing a space of ground between the base line of the picture and the feet of the figure, the effect is unnaturally gigantic, and the eye is struck with an apparent falsity, although to many the reason is not evident. This is another of those conventionalities of art that a study of the Old Masters has perpetuated, but latterly some of the most distinguished modern artists have adopted the practice of representing the figures in historical pictures, half or two-thirds of life size, a close approximation to the appearance of nature. It is argued that unless a larger scale of proportion than the natural is adopted, figures in certain situations would be scarce visible; but this appears to be an argument proving their unfitness of introduction in such places; the effect of colossal figures is to destroy the grandeur of architectural proportion, for as the eye is well aware of the size of the human figure—it makes it a basis of proportion, and we fancy, not that the figures are large, but that the surrounding parts are armall, and the eye only takes cognizance of the real size when accidentally a living figure is observed in direct proximity.

The works of the older masters abound with anachronisms, details of costume, and manners and customs of different climes are constantly mixed up in a most strange and ludicrous melange, most offensive to men of taste and education. When an artist determines to express a story upon canvass, he ought, of all things, endeavour to represent it truly, and no study or research should be spared to arrive at accuracy. There

are numerous examples of such incongruities, specimens of the most opposite schools, both in the National Gallery, and the Exhibition of the Irish Institution; in the latter No. 91, "The Cup found in Benjamin's Sack," by Poussin, and No. 102, "David giving his Dying Instructions to Solomon," by Ferdinand Bol, there is not the slightest resemblance to eastern habits or usage. It would be utterly impossible to carry the sack, in the first mentioned picture, upon a camel's back, and it is difficult to fancy what race of men afforded a type for the human figures, either in physiognomy or costume; the treatment of the draperies is most conventional, possessing neither truth of form nor of light and shadow. Contrast this picture with Horace Vernet's "Lion Hunt," No. 155, and observe the difference in every respect; yet both are, or ought to be, representations of much the same scenery, climate, and brilliant sunshine, and of a similar race of men. We are perfectly aware that the idolators of old art will not agree that Vernet is superior, they will call it crude and harsh; but we write not to convince the proprietors of such diseased vision, we are satisfied to abide by the decision of the unprejudiced No. 91 has manifestly been formerly in the possession of a lover of tone; it has all the appearance of having had the natural yellow tint of age incrustured by Spanish liquorice, or some colored varnish; nevertheless, we would not advise the noble owner to venture upon having it cleaned.

Another practice of the old masters was representing in the same picture different episodes; sometimes they introduce as contemporaneous incidents, events between the occurrence of which several years intervened; at other times they represent as happening upon the same scene occurrences which took place at a great distance from each other; the "Transfiguration" of Raphael is an instance of the latter, familiar to every one. In "Essays Towards the History of Painting," by Mrs. Callcot, several pictures thus treated are described at great length; one, particularly, is said to possess most transcendent merit, and "to be a model for this treatment of historical subjects." It is in the possession of the King of Bavaria, and represents the journey of the three wise men to worship the Infant Jesus, and containing also the Adoration, the Resurrection, and the Ascension, one of which occupies the right side, the other the left of the painting. What would be thought of a modern Academician, if he painted the Beheading of

Charles I., and introduced the Trial, the Procession to the Scaffold, the Headsman holding up the severed head, and Cromwell looking at the dead body in the coffin—all in the same picture.

In the representation of animals in their works, the old masters evinced singular deficiency, the more remarkable when the correctness of drawing, and anatomical developement, almost invariably shown in their representations of the human figure, is considered. Even of those schools which more particularly studied animal delineations, as, for instance, the Dutch, the superiority of the modern is most evident. There are, in the Exhibition of the Irish Institution, a few works of Cuyp, Paul Potter, Berghem, and Snyders, although there is no Landseer with which to compare them, there is, however, one of Sidney Cooper's cattle pieces :—but we find we are passing into the consideration of the third point, viz., that the modern painters have arrived at truer principles and practice of art than the older masters. We have endeavoured up to this to show, that there are many respects in which an over devotion to the study of the old masters is not desirable ; that many mistaken principles were acted upon ; and that most of the conventionalities and absurd usages in the practice of painting are derivable from, and perpetuated by, the study of their works. But it is not the object of this paper to decry such studies as pernicious. To the accomplished artist a knowledge of what has been hitherto done in art is essential, as well as an insight into the various methods by which gifted men in various times have endeavoured after the imitation of nature with a limited material ; it is to such that a study—not a mere literal copying—of old art is useful, as he knows what to select and what to avoid ; but it is very questionable utility to pre-occupy the mind of the young student with particular manners and modes of practice, to the extinction, perhaps, of his own natural originality.

We know not if it was the intention of the Irish Institution to give a practical illustration of the superiority of modern art in their arrangement of the two rooms at the Royal Hibernian Academy, but the small room one enters first appears to contain the best examples, although hardly any of the works of our more celebrated artists are there. The works of Vernet, Tschaggeny, and T. S. Cooper, exemplify the principle of cool shadows and warm lights, which we have already alluded to.

Vernet's picture is a most useful study, and the effect of brilliant sunlight was probably never better given ; the warmth of the picture is wonderful, when the intense blue of the sky is taken into account, it being the coldest color we have. Cooper's picture, No. 184, is not a specimen of this artist's present manner ; it has been painted some years, and has a great deal of the character of the water color pictures he commenced his career with ; but, though inferior to his present works, the cattle are greatly superior to the cattle delineations of the older masters in the Exhibition. No. 153, "Cattle," by Ommeganck, is a modern picture on old principles of study ; after looking at Vernet's "Lion Hunt," for a time, and then coming suddenly upon this, the shadows appear most disagreeably and unnaturally hot ; a better exemplification of the truth of the one practice, and the falsity of the other, could not be had. The Fine Arts Hall in our Great Exhibition contained only one of Cooper's cattle pieces, also some years painted, and not to be compared in point of excellence with his latter works, yet it was much superior, in the truthful study of nature it evinced, to the large Cuyp that hung opposite to it, although the latter is a very fine example of that master. Cooper was once present at an artistic re-union, where were exhibited several beautifully executed lithographs, reproductions of Paul Potter and Cuyp ; a gentleman remarked in his hearing—not supposing the artist present—"Ah ! Cooper is largely indebted to those, he gets a great deal here." Cooper repelled the insinuation fiercely ; he said he would not have the credit of such things. A great admirer of Cuyp would be apt to ascribe this ebullition to a feeling not unmixed with jealousy, but such would be a wrong assumption ; Cooper knew, from his knowledge of the subject, and careful study of nature, the deficiencies in their works, and, therefore, could not endure that in points where he felt his own superiority the credit should be taken from him and ascribed to another. It is only the practised artist who can become thoroughly aware of the particular deficiencies in other works, and hence, by the freedom of his comments, often gives offence to connoisseurs, who, not possessing his refined subtlety of observation, cannot see the shortcomings which are to him so evident.

Those who visited the Fine Arts Hall of the Great Industrial Exhibition, will remember Sir Edwin Landseer's "Bolton Abbey in the Olden Time" ; the dead game in this picture was

most beautifully and artistically delineated ; we allude to that portion of the picture because it admits of comparison with No. 23, "The Dutch Larder," by *Snyders*, now in the Exhibition of the Irish Institution. Whether in respect of composition, manipulative dexterity, arrangement of color, or truth to nature, the modern picture is greatly superior. A larder is a gross and very unideal subject, but *Landseer* has avoided this ; in his picture you do not think of the spit ; the game is spread on the ground much as it fell by the hunter, and takes most graceful and undulating forms, instead of being trussed into strange shapes by the cook ; in *Snyders'* picture the arrangement of color is exceedingly good, but there has been a picture-cleaner at it,—witness the whey-faced woman, and the white cloth, the scumblings and glazings on both have evidently been removed, and the harmony destroyed thereby.

No. 2, "Cavaliers by *Cuyp* ;" this picture will not for a moment bear comparison with any of *Landseers'* more than the *Cuyp* in the National Gallery ; the grey horses in both pictures are ill drawn, that one in the *Cavaliers* is particularly defective, and the details of the picture are faulty and untruthful. Either this picture or the one in the Louvre is a copy, they cannot both be originals, but the remarks apply as much to the one as the other.

We have dwelt particularly upon the animal delineations of *Landseer*, because we wished to institute a comparison between his works, and the best productions of a similar class amongst the old masters ; in fact, the name of *Snyders* had become proverbially associated with animal painting ; and some years ago it was thought that the perfection of his works would never even be approached. All the qualities which go to make a distinguished artist, *Sir Edwin Landseer* possesses in a high degree ; in his works the principles of composition are beautifully exemplified ; and in the perspective of his figures, he shows, that by careful study of nature he has discerned the true theory, as also in light and shadow.

Horace Vernet is most remarkable for his splendid delineations of battles. Such subjects, by the old masters, are represented in a most conventional and tame manner ; but *Vernet's* genius has taken an entirely new direction : his representations of battles are at once most truthful and poetic ; and in the rendering of energetic action either of man or horse, he is unapproached : his paintings of "La Smala," at Versailles, may well be called miracles of art.

We have already alluded to the great advance made by modern artists in the departments of landscape painting ; their great study has been in the school of nature, rejecting that of the old pictures. Sir Joshua Reynolds used to say, speaking of the conventional system of landscape art, that painters seemed to have had but two types for their trees—coachmen's wigs and dumb waiters ; and Mr. Ruskin alludes to the same system, when he says, the question of connoisseurs used to be, "where do you put your brown tree?" Gainsborough and Wilson were the leaders of the present English school of landscape, and although now their works have a comparatively tame and insipid character, yet they were a great advance upon the style which then prevailed. The present school of English landscape stands deservedly high ; and several specimens of the continental schools, which were in our Great Industrial Exhibition, also evinced the highest excellence. The great effort of modern art is directed to rendering the effect of light, in contradistinction to the older style, which rather affected twilight scenes and sombre tones of color—the more strange, as the old artists for the most part lived under bright skies and brilliant sunshine, and our climate is proverbially gloomy. Turner was undoubtedly most successful in his beautiful combinations of color, and in the magical effect of bright light he was so happy in producing. Pyne is also most admirable in the rendering of bright sunshine, also Stanfield and D. Roberts. Danby is celebrated for beautiful sunsets, with gorgeous effects of light and color.

We would also instance the English school of water colors, unrivalled in any other country—as affording an exemplification of what art can achieve when untrammelled by old methods of study and conventional standards, but looking to nature as the true model for imitation. Water color paintings are at all events tolerably secure from the picture-cleaner, and the contamination of his varnishes.

There are two paintings, in the Exhibition of the Irish Institution, which are amply sufficient to show that modern artists are equally excellent in the particular walk of art to which the greatest of the old masters especially devoted themselves, as in the other branches of study—we allude to No. 127, "The Temptation of St. Anthony," by Gallait, and No. 162, "Elizabeth of Hungary," by De Keyseer. We only ask our readers to pause before those pictures, and then com-

pare them with any of the older works in the large room. It is much to be regretted that Gallait should have introduced the figure of the devil into his picture, with all the ideal vulgarities attachable to that personage. It would have been a much higher view of the subject, to have imagined the prince of darkness as taking the seductive shape of a beautiful woman ; but by appearing, and in such a guise as that represented—he counteracts all the effects of his snare—it becomes no longer temptation, for the evil intent is apparent : in setting a snare for the lower animals, man takes pains to conceal it under the bait ; and can we fancy the subtlest of all spirits so deficient in the commonest cunning. It is in fact but a relic of the barbarisms of the middle ages—one of the conventionalities which still cling to art, and will cling for many a day yet. There are numerous other instances of modern excellence which could easily be given, but our object has been to point out those by which the mass of our readers may have the easiest means of judging for themselves as to the truth of what is advanced, viz. that the moderns have made greater progress towards the developement of the true principles of art than the old masters. To those conversant with the National Gallery in London, we would instance the Vernon Gallery, now also the property of the nation, as a truer and better exemplification of art. No doubt that in every age and country, highly gifted men have from time to time astonished their own and succeeding ages, by their genius. Euclid wrote three thousand years ago, and his works are still class books in science—the great examples of Grecian sculpture are master-pieces yet—and the works of the great painters of Italy will be admired as long as they endure ; but such extraordinary endowments are rare, and do not disprove the existence of a slow but invariable progress towards final perfection, although to man in his present sphere that perfection can be but as an approximation. The progress and elucidation of the principles of art are slow, for much depends upon the manipulative dexterity of the artist—in one short life-time he brings his art from the rude scratchings of an unpractised hand and eye, to the highest point of genius. His art dies with him, and his successor begins, not from where he left off, or even a point approaching it, but *ab initio*, as if the former had never been ; this we are aware is also the case with other pursuits of mankind, as for instance, music ; but the artist's

progress is more self educational, and he arrives at many results very difficult to be conveyed to another; the modern artist is not therefore in possession of many advantages over the artists of former times. Emulation has however much influence. What another has achieved there is manifested a tendency to excel; and the researches and experiences of different individuals when accumulated, afford valuable material for the guidance of the art student. A peculiar feature of the present time is the number of works written upon the Fine Arts; many recording the conclusions and practice of distinguished artists; there is also a more general and a wider appreciation of art, and its principles are becoming better understood. We have placed, at the heading of the present paper, two works from the pen of Mr. D. R. Hay, of Edinburgh, which are most valuable, and cannot but have a great influence on art, as exemplifying the laws by which beauty of form and color are governed. There are no subjects upon which so much diversity of opinion prevails as on matters relating to taste and beauty, and the various works intended to elucidate them do not convey much practical information, as they are for the most part expressive only of individual opinion, and although often condemnatory of certain examples, yet do not show why they are wrong. This is a want which Mr. Hay's works will go a great way towards supplying: it is most discouraging and unsatisfactory to the art student, or amateur, to find that in pursuing such studies he is inevitably blown about by every wind of doctrine; therefore the discovery of laws which regulate and determine these questions is most desirable. Mr. Hay, in the Introductory Chapter of his work upon "The First Principles of Symmetrical Beauty," observes:—

"We have certainly a wide diffusion of a pretended knowledge or connoisseurship, in the Fine Arts, but then how few can give a reason for the opinions they form upon works of art, and how very few, indeed, can tell why the form of one utensil upon his table is more beautiful than that of another, or why one kind of proportion in an apartment is agreeable to the eye, while another is not. I cannot help attributing the failure of all our attempts to diffuse a knowledge of the beautiful, to an improper method having been adopted,—a method the very opposite to that by which the other useful branches of education are disseminated."

Mr. Hay disclaims any intention of laying down rules for the guidance of Genius; many he says have supposed—

"That in attempting to define the laws of symmetry, upon which the primary beauty of form depends, and which is the governing principle in ornamental design, I pretend to give rules for that kind of beauty which genius alone can produce in works of high art. But I make no such attempt—as well might it be said of the author of an elementary school-book, that in attempting to instruct his young readers in the elements of their mother-tongue, he was pretending to teach them rules for producing poetical conceptions and other creations of the imagination—as that I, in laying before my readers the first principles of symmetry, am giving rules for the exercise of genius in the arts of design."

Nevertheless a careful perusal of Mr. Hay's work will be highly advantageous, even to the most accomplished artist. Some suppose that an attempt to define the rules by which genius achieves its results is a useless folly; but although genius seems endowed with a sort of intuitive perception of the true and the beautiful, as it were by instinct, yet are those results governed by certain laws—and according as their workings become understood, so will genius be strengthened, and its efforts appreciated. Sir Joshua Reynolds, in allusion to an opinion that rules rather cramped high effort, said that "rules were fetters only to the man of no genius."

There are certain fixed laws which govern and regulate all nature—these may be undiscovered or ill understood, but are not therefore the less existent, and as their results are arrived at, whether by accident, or by the exercise of observation, so will relative perfection be attained. Mr. Hay thinks that a key to the elucidation of the laws which determine beauty, either of sound, color, or form, is to be found in harmonic ratios of the numerals 1, 3, and 5, and we believe he has very satisfactorily demonstrated the truth of the positions he advances; at a future time we purpose again recurring to this subject, and for the present shall only attempt to give our readers a cursory idea of Mr Hay's theory, in the hope of inducing those who take an interest in art questions to peruse his admirable works.

We fear there is but too much foundation for the assertions contained in the following:—

"In a former treatise on colour, I confined this part of the subject to an attempt to point out the analogy that exists between the harmony of colour and that of sound; and I did so from an idea, that in this country a knowledge of the first principles of the science of music, bore some proportion to the extent to which that art is taught and practised, and that, in consequence, I should more

readily lead to an understanding of the one species of harmony by comparing it to the other. But I am now convinced that this was a mistaken idea, and that, instead of a knowledge of the first principles of harmony being general, it is so limited, that but few of the professors of painting, sculpture, of architecture, to whom they ought to be familiar, have paid any attention to the subject; even among teachers of music, there are few who are sufficiently acquainted with the philosophy of their art. This is much to be regretted, for the general principles of harmony are uniform throughout the whole science of æsthetics, and, as in no department of that science have their effects been more clearly developed than in music, there can be no better method of pointing out their peculiar nature, than by reference to the first principles of that art. I shall, therefore, still refer to it, and in doing so, show that the harmony addressed to the eye, like that addressed to the ear, is of an exclusively mathematical nature."

In our system of Art Education there is an over attention paid to manipulative dexterity to the neglect of intellectual powers—or perhaps it is that academies of Art take for granted that the student is already perfect in Scientific attainment, an assumption not always consistent; however there is a tendency to a better state of things, to which the proposed founding of Professorships of Art in the Universities would also materially contribute.

In the "Principles of Beauty in Colouring," Mr Hay gives several admirable examples of harmony and contrast; the principles he lays down, and his deductions therefrom, are most unexceptionable; but we think their beauty is a little impaired in the examples, by the red he has selected, it is more properly a dark orange instead of a red, of which lake or carmine would have been a better type; there is not a sufficient distinction between the primary red and the secondary orange—and on the harmonies of the green, the red is not dark enough—from this cause also the opposition of the purple to the yellow is not so beautiful as that seen in nature, in the pansie for instance—and we think the yellow would have been better if it partook of the canary instead of the chrome tone.

Mr Hay shows that of the musical notes, there are three which may be reckoned primaries; the tonic, *do*, the mediant, *mi*, and the dominant, *sol*: in form the three figures of the sphere, the cube and the cone, or their sections, forming the plane figures of the circle, the rectangle and the triangle: also in color, the primaries, yellow, red, and blue. All

those bear a constant ratio of 1, 2, 3. He then proceeds to show that—:

“The first primary combination of the unit gives its multiple 2, which is a sub-multiple of the numbers 4, 6, 8, progressively as 2, 3, 4; and it is the first even number. The number three is also simply a multiple of the unit, and is the first tertiary combination or odd number; it is a sub-multiple of 6, 9, 12, &c., progressively as 2, 3, 4, and is at the same time a compound of 1 and 2 added together. The next multiple of 1, having no other aliquot parts, is 5, a compound of the first even and first odd numbers 2 and 3; it is a sub-multiple of 10, 15, 20, &c. These three numbers are therefore the first three multiples of 1 that are multiples of no other number, and upon the proper operation of those numbers depends the harmony which constitutes beauty.

The primary or leading harmonic ratios produced by the operation of those numbers upon quantities, motions, or powers of matter, are 1 to 2, 2 to 3, 4 to 5, and these are called in the natural scale of music the consonances of the tonic and its octave, the tonic and its fifth or dominant, and the tonic and its third or media.—The other parts of the scale are, in this respect as 3 to 4, 3 to 5, 6 to 9, and 8 to 15, but no new mode of combination is here presented—4, 8, 9, and 15, being multiples of 2, 3, and 5.”

The proportions of the human countenance have been long determined by artists, and may be thus described; the oval of the face and head is divided by a horizontal line into two equal parts, which line determines the position of the eyes; those two portions are again equally divided by horizontal lines, indicating the hair and the point of the nose respectively; if the lower half of the face, from the eyes to the chin, be divided into three portions, the first, counting from the chin, will determine the position of the mouth—the ratios of those divisions are exactly in accordance with Mr Hay’s theory:—

“On the transverse diameter, from the crown of the head to the centre of the eye, is in the ratio of 1 to 2 of the whole length. From the same to the point of the nose, 3 to 4; and to the mouth, 5 to 6. From the point of the chin to the mouth, 1 to 6; to the nose, 1 to 4; to the centre of the eye, 1 to 2; and to the setting on of the hair, 5 to 6. Upon the conjugate diameter, the eye, the width of the nose and the mouth are as 1 to 5. Every minutiae of the human figure is full of this species of harmony.”

He further shows that all curvilinear forms are derived from certain angles, and that the relative measurement of those when in the ratios of *first*, 1 to 1 and 1 to 2; *second*, those of 1 to 2, 1 to 3 and 2 to 3—and *third*, those of 1 to 4, 1 to 5, and 4 to

5, always produce beauty of form—ugliness being a consequence of inattention to those rules. It is highly probable, nay almost certain, that the Etruscans and ancient Greeks possessed some certain rules of art by which they arrived at the uniform expression of so much beauty, whether evidenced by works, sculpture, architecture, or ceramic remains. Vitruvius unquestionably alludes to such rules of proportion, although in such a manner as to prove that only a traditional knowledge of them remained in his time

A very general idea has prevailed amongst men of the highest intellectual powers, that some geometric principle of beauty might be discovered—and many futile attempts at its elucidation have been made. Mr. Hay quotes the following from an article which appeared some years ago in *The British and Foreign Medical Review*, singularly confirmatory of his theory. "There is harmony of numbers in all nature—in the force of gravity—in the planetary movements—in the laws of heat, light, electricity, and chemical affinity—in the forms of animals and plants—in the perceptions of the mind. The direction, indeed, of modern natural and physical science is towards a generalization, which shall express the fundamental laws of all by one simple numerical ratio. We think modern science will soon show that the mysticism of Pythagoras was mystical only to the unlettered, and that it was a system of philosophy founded on the then existing mathematics, which latter seem to have comprised more of the philosophy of numbers than our present."

Mr. Hay, following out the principles here glanced at, has the following excellent introductory observations in his work on "Symmetrical Beauty":—

"To discover the laws of material beauty is, therefore, first of all, to determine the laws of mind: for the laws of the divine mind we must examine our own. The only type of intellect and goodness we possess is that furnished us by human nature. 'God'—says an eminent Christian philosopher—'God is another name for human intelligence raised above all error and imperfection, and extended to all possible truth.'—'We discover the impress of God's attributes in the universe (continues the same author) by accordance of nature, and enjoy them through sympathy.' This we conceive to be the true theory of the enjoyment of nature; we see the developement there of a high, and good, and glorious, and loveable mind—

of a mind resembling all that is best in our own, refined and purified above all error and imperfection ; and in our enjoyment of the works of the Divine Artist, sympathy is a principal element."

In Mr. Hay's last work, "The Orthography of the Parthenon," he proves most satisfactorily that the proportions of that masterpiece of architectural art are exactly in accordance with his theory. We say satisfactorily, because the Institute of Architects appointed one of their members to report upon Mr. Hay's work, and it was found that the greatest variation perceptible between the theoretic and actual proportions of the facade did not vary much more than half an inch—to Mr. Hay then is justly due the credit of having re-discovered the great principles upon which the grandest works of antiquity were produced, and we feel proud in being able to instance it as a proof that alike in the theoretic and the practical—art is advancing. There are other works upon the theory of art which we might also have quoted to substantiate our position—such as Sir Charles Eastlake's History of Oil Painting—his translation of Goethe's "Theory of Colours" and Mr. J. D. Harding's admirable work upon the "Principles and Practice of Art," but we think our paper has already extended to a reasonable length.

The major part of it has been written with reference to the establishment of our National Gallery under the auspices of the Irish Institution—we think much of the evidence given before the Parliamentary Committee conveys a suggestive lesson. And when it is found that with such resources at its command the London National Gallery has experienced so much difficulty in the acquirement of the works of the old masters—it naturally occurs that with the much smaller means likely to be available here—it would be folly to make a similar attempt.

There is every reason to think that ultimately a very splendid collection of the most celebrated works of the old masters will be formed in London and worthy of the British nation ; and from the rapid and easy communication with London now established, readily available for reference or study—we would therefore prefer to see the primary object of our National Gallery, that of exemplifying what Irishmen have achieved in art : what was the state of art, and what is now its position in Ireland—and that the acquisition of the works by the old masters should form quite a secondary object—and be confined altogether to donations of pictures. Such might be well and excellently

done at a price infinitely below the amount of funds requisite to purchase the enormously over-priced works of the old masters, and would form the best type of what a secondary or local National Gallery ought to be: for of course the idea of rivalry with *the* National Gallery would be preposterously absurd. We might then point to our gallery, and say, "Such as our art was, such as it is—behold. We do not claim eminence or seek for applause; but it is our own."

THE
IRISH QUARTERLY REVIEW.

No. XIV.—JUNE, 1854.

ART. I.—LITERATURE AND POETRY IN
IRELAND.

1. *Poems.* By John Francis Waller, LL.D. Dublin : James M'Glashan, 1854.
2. *The Slingsby Papers; a Selection from the Writings of Jonathan Freke Slingsby.* Dublin : J. M'Glashan, 1852.
3. *Ballads, Poems, and Lyrics, Original and Translated.* By Denis Florence M'Carthy. Dublin : J. M'Glashan, 1850.
4. *Dramas of Calderon, Tragic, Comic, and Legendary. Translated from the Spanish, Principally in the Metre of the Original.* By Denis Florence M'Carthy, Esq., Barrister-at-law, author of "Ballads, Poems, and Lyrics," etc., 2 vols. London : Charles Dolman, 1853.
5. *Theoria.* By Digby P. Starkey, A.M., M.R.I.A., Barrister-at-Law. Dublin : James M'Glashan, 1847.
6. *Poems, Illustrative of Grace—Creation—Suffering.* By the Rev. Richard Sinclair Brooke, A.B. Dublin : James M'Glashan, 1852.

During the twenty one years which have elapsed since the establishment of *The Dublin University Magazine*, the poetic talent of this country has become known to all lands where the English tongue is spoken ; and wherever the poems appearing in that *Magazine*, have been read, their more than ordinary merit, even in their worst specimens, has been freely and honestly acknowledged. That publicity, with another class of readers, which the *Magazine* could not completely satisfy, was gained in the pages of *The Dub-*

in *Penny Journal*; whilst for a still wider circle of students and readers, *The Nation* newspaper, in its respectable days, afforded excellent specimens of song and ballad, although a great portion of their attraction, for the mass of readers, was derived from their roaring rebellion, and rampant sedition.

Ireland is precisely the country in which the editor of a serial finds himself overwhelmed by every species of poetical contribution, from an epic to an acrostic. The young man who is waiting for a curacy poetizes; he who, in wig and gown, wears out the flags in the Hall of the Four Courts, endeavouring to catch an admiring, appreciating attorney, relieves his mind by writing smart epigrams upon the seniors, whilst he, as the cake women say, "is takin' the dead cowl out of the pillars;" he who passes his days an idler about our free public literary institutions, a dilettante in every thing—supporting his position on the poor reputation of the wonderful things he could do—and retailing the opinions of *The Athenæum* on all topics, literary and artistic, as his own—a Brummagem Aristarchus—all these, and they may be enumerated in our city, by tens—perpetrate verse—and, with the aid of Byss and Walker, spin out their empty fancies in the spiritless skeleton of thoughtless rhyme,—thus, too clearly, proving Bulwer Lytton's observation—"The thought is the Muse, the versification but her dress."

In a nation such as Ireland, where the people are by nature poetical, it is right that there should be, as there have been, many publications devoting a large proportion of their space to what the correspondents and contributors glorify themselves by designating, original poetical contributions. From the class of writers who support this particular department of the publications, it may happen, as it has happened, that a genuine poet will first make known his bright gift of genius. But there are evils arising from this facility of publication inseparable, perhaps, from a provincial literary reputation. The chief amongst these disadvantages is, that men, who have obtained a certain rank amongst their tuneful fellows, form themselves into cliques and sets—petty coteries—two-penny-halfpenny clubs, where all is speechification, laudation, hip—hip—hurra—"We won't go home till morning"—Kinahan's L.L. Whisky, devilled kidneys, Burton Bindon's Oysters, and Guinness's Porter.

Than a literary party in Dublin, there is nothing more stupid. The songs of somebody, who is present, are sung to the

music of somebody else who is present. Nobody who knows anything of literary importance will tell it, lest somebody else might "bone" the information, and at the earliest opportunity, publish it as his own. There is an insufferable, conceited, priggishness about all these affairs, that can only be equalled, certainly not surpassed, in its folly, by the absurdity of that famous "leg of mutton swarry," to which "the Select Company of Bath Footmen" invited *Sam Weller*. These Dublin literary reunions are nothing more, compared with real literary assemblies, than the supper-scene in *High Life Below Stairs*, is to an aristocratic gathering.

That literary men of a certain class will hate and fear each other, as only women can hate and fear their rivals, is, doubtless, a fact. But literary men, save of the poorest order of intellect, should not play the flunkey to their brothers, and for the poor favor of a cliqueish puff, send round, metaphorically, the hat, and beg each other's praise. We know that such men as Graves, and Todd, and O'Donovan, and O'Callaghan, and Ferguson; men who have worked for reputation, and won it by honest exertion in their several branches of science or of literature, are above these petty shifts of petty litterateurs; of such students as each of these, to whom we have referred, we may truly assert that he bears ever in mind the dignity of a calling, but too often—

"Defamed by every charlatan,
And soil'd with all ignoble use.—"

We do not object to good fellowship, and all the kindly feelings that are created from a complacently filled stomach. Pleasantly combed hair, and smiling faces, are healthy to a healthy mind, whether encountered upon a churching-going morning, when the bells ring out the call of religion to man, or met around a club-room table, adorned by "Jolly good fellows, every one." But, when A. says, smilingly, to B.—"B., my boy, your Lines on King O'Toole's Grandmother, are the most spirit-stirring things I ever read,"—can B. do less than reply—"A., my fine fellow, they are nothing to your Verses on the Baily Light House at Sun-set?" Now, of course, these titles of poems are not real, but such is the style of conversation. Everybody is praised by everybody else, and praises everybody else in return—the prose writers, the artists, the publishers, the nondescripts of Dublin literature, all receive

their share of laudation, for, as Thackeray says—"You never knew an Irish gentleman in London so poor, that he had not another Irish gentleman still poorer to wait upon him, and run on his errands,"—so, in Dublin, you never find a writer of a reputation so small, that he has not another of a reputation still smaller to be his toady, and his trumpeter; thus the force of laudation, and toasting, and club-dining, goes on, producing, as a necessary consequence, such versifiers as Dr. Waller, and producing, despite all evil influences, a poet like M'Carthy.

But literary snobbishness and cliquery are not the only obstacles against which literature in Ireland is forced to contend. Religion, and politics, very frequently interpose, and each party, and each sect, has its pet, and prettily puffed favorite. High church people will not buy books from those tradesmen who venture to exhibit upon their counters low church publications; low church worshippers will not deal with him who ventures to display high church books; whilst as a body the Roman Catholics are not very extensive book purchasers, and their newspapers puff most openly the productions of their co-religionists.*

Politics, too, in conjunction with religion, are a terrible bar to Irish literature in its onward path. It can hardly be credited, that a very distinguished Professor, in Maynooth College, who announced to the world a reprint, with an original English translation, of a very rare work, should have actually been so besotted as, in the nineteenth century, to publish this book, *omitting* all such portions of it as seemed to him disadvantageous to his own religious or political views. And yet strange as this prostitution and desecration of genius may seem, it is exceeded by the following, which would be ridiculous,

* For example :—a short time since a Roman Catholic clergyman published a translation of Dante's great poem, and the public were gravely informed by the Roman Catholic newspapers, that it was a most exquisite translation, and that no man save a Catholic could translate Dante's poems; because Dante being a Roman Catholic no one but a Roman Catholic could fully comprehend him, and so we learn the full force of the line—

"Who drives fat oxen should himself be fat."

Yet no poet has been considered more unorthodox than Dante, and his theology has been frequently attacked. Thus, Goujet, in the *Bibliothèque François*, declares that Dante errs as a theologian, "*lorsqu'il accorde une exemption de souffrances après la mort aux sages du Paganisme, et aux enfans mort sans batême.*" This observation reminds one of Bossuet's having reproached Santeul de St. Victor because he introduced the name of Pomona in a poetical description of the gardens at Versailles.

were it not pitiable, in the puerile affectation of the person who forms its subject. Some few months ago it was resolved that the Archæological and Celtic Societies should be amalgamated: all the chief supporters of each Society were most desirous of a complete identification, but a very considerable delay occurred, because one of the honorary officials of the Celtic Society was quite unwilling to merge the body in the Archæological Society, over which Prince Albert presided. And why?—Not because Dr. O'Donovan, and Dr. Todd, and Dr. Graves, and Mr. Curry, were not active and zealous members, but simply because the dissentient was an admirer of the rebellion-made-easy principles of Mitchel and Duffy's school of "patriotism," and he would not join any literary Society of which Prince Albert was the President. And although the Societies are now united, yet for some days that most desirable result was postponed, to gratify the folly, or the conceit, of a single, undistinguished member. With such obstacles as these surrounding literature in Ireland, who can wonder that its cultivators are sometimes prigs, and not unfrequently pretenders?

It is difficult for those who have no actual experience of the facts, to comprehend the many adverse circumstances that render literature and literary enterprises in this country most hazardous. Many men of ability, and many publishers of astuteness and intelligence, have attempted, within the past twenty years, to carry out well designed and ably written serial publications, and with the exceptions of *The Dublin University Magazine* and our own *Review*, failure has been the invariable result. And why? We send forth from Ireland the authors, the artists, the poets, the newspaper editors, who are in the highest ranks of their various professions in England, yet our people cannot support, as Scotland supports, cheap, respectable, publications. The whole secret lies in the fact, that our lower and middle classes are not a reading people, whilst politics and religion, or the thing they nick-name religion, render them incapable of appreciating, or at all events of appreciating so as to induce them to purchase, any works that do not pander to their particular views of party, or to the prejudices of sect. For these reasons *The Dublin Penny Journal*, and *The Citizen*, were losing speculations; and Duffy's *Library for Ireland*, with all its, political galvanism, was not so successful as an opposition,

but rabidly treasonable, series, issued by a tradesman named Mac Cormack.

We will not speculate upon the probable character, or problematic success of a series about to be issued by a society calling itself *The Celtic Union*—but of its teaching and tendency there can be little doubt, as amongst its prime movers are Dr. Cane, of Kilkenny, who was imprisoned, for his connection with the Young Ireland faction, in the year 1848, and Mr. Charles Gavan Duffy, M. P. of whom his friend, the run-away convict Mitchel, thus writes, in his "*Gaol Journal*."

"Duffy is not only editor of the *Nation*, but is *the very man who urged poor O'Brien upon his Tipperary war*. If they even stay proceedings against him now they are finally vanquished, and he can drive Government into the sea. He can; but will he? dares he? Alas! the unfortunate man is too evidently cowed and prostrated to the earth; he produced on his trial *evidence of character*—literally, people to bear witness of his good moral character in private life, and not only that, but of his legal and constitutional character. I read that father Matthew and Bishop Blake were brought forward to prove that Mr. Duffy is not only a very amiable and religious person, but also very far from being the sort of man to meditate illegal violence, or the disturbance of "social order"—not he. Carleton, too, is produced to give his testimony to the prisoner's general character, of which Carleton is an admirable judge. And, what is almost worst than all, the poor man tries to evade the responsibility of some of the prosecuted articles by proving that they were not written by himself."

When one remembers these things, and finds Mr. Duffy declaring that he is *now* what he was in 1848, and discovers that a life of that blaspheming rebel, Wolfe Tone, is to form a chief attraction in the series of works to be issued, one may well suspect that the *Celtic Union* will prove, as Mr. John Mitchel, in his *New-York Citizen* prophesies—"A DISMAL IMPOSTURE;"—but it is for the Government to see that it does not become, what Mr. Mitchel hopes it may become—"the organization of an organization"—or a seed-plot of sedition, of treason, and a source of misery to a politically duped and debauched people.*

We have stated that Ireland is prolific in writers of poetic pieces, and that she has had an abundance of journals and

* See Mitchel's paper, "*The New York Citizen*"—Art. "*Irish Movement; But No Progress*." And see the number for March 4th, 1854; under date, in that concentration of folly and cleverness, the "*Gaol Journal*," April 12th, 1849.

magazines, in the pages of which these compositions could be given to the approbation, or reprobation, of the readers of light literature. To see himself in print is the great aim of each suckling of Parnassus, and succeeding in this he commences his career of folly. He is a poet, he will be a poet, nobody shall prevent his being a poet—and, like poor *Francis Osbaldiston*, he is all for romance, and despises tare and tret. A good-natured critic, in a newspaper, praises his verses; the public read them, as they read everything else,—admiring what others admire; brother versifiers pat him upon the back; he proceeds through all the enormities of metre, and when some few years of this foolery have passed by, he finds that he has written a sufficient quantity of lines to form a small volume, and forthwith he rushes to the printer, whose parturient press delivers to the world a series of snowy pages, “where a neat rivulet of text shall meander through a meadow of margin.”

The book is placed in the hands of the critics:—the author is sure it must succeed. Were not its contents admired, when they appeared originally in *The University Magazine* or in the *Nation*? Murphy, of “*The Ballyragget Expificator*,” said that the “*Ode to John Mitchell’s Hand-cuffs*” was finer than any thing in *The Lays of Ancient Rome*; and Flannigan, of “*The Sallynoggin Independent*,” thought the translations superior to anything since Maginn’s *Homeric Ballads*. Good-natured critics take the book and judge it kindly, but with a merciful leaning to the culprit author. They find excuses for his faults, they see beauties lurking in obscure places, and think that now, in our day, a poet may be a poet, even though upon the line of mediocrity—thus adopting, in honesty, the mocking defence which Voltaire offers for the supposed inferiority of *The Song of Solomon*, in its glowing oriental imagery, to the fire of the Latin poet—“*Un Juif n’est pas obligé d’écrire comme Virgile.*”

However kindly all this may be intended, it is fair neither to the country nor to the writers of the books; and the result is, that for the past ten years, no volume of poems has issued from the Irish press worthy the designation—with the single exception of the beautiful little volume bearing M’Carthy’s name;—Samuel Lover’s *Songs and Ballads*, though genuinely Irish, were published by Chapman and Hall, London.

Not one of these volumes was received with any other tone than that of approbation. We know that there are many reasons for the adoption of this course; we know that if an

author is educated, refined in taste, and of a poetic cast of mind, he may write very excellent verses, and that the critic may, if he be a kindly, friendly man, feel the full meaning of that thought of Horace which teaches, that it is not always agreeable to offend one's friend in trifles.

But there is no mercy, no compassion, in permitting the continuance of this evil. A man is a poet, or he is a poetaster ; and if he will not, or cannot, discover his own position, it is the duty of those who profess to guide the public taste to show the would-be poet his true status. Prove to him, by extract, how much more admirably his subjects have been treated by others. Show him that to be a poet is to be a god, and that true genius breathes its burning thoughts in glowing words, and its beaming fancies in world-moving strains, raising the weary heart from cares of earth, soothing the lonely hours of solitude, calming the racked mind of disease-worn frames, and making the aged man dream once more of youth, in all its buoyant elysium of expectant bliss. To achieve this is to be a Poet ; to achieve it is to be that grand and holy thing which Alexander Smith so beautifully portrayed, when he wrote,—

“ As a wild maiden, with love-drinking eyes,
Sees in sweet dreams a beaming Youth of Glory
And wakes to weep, and ever after sighs
For that bright vision till her hair is hoary ;
Ev'n so, alas ! is my life's passion story.
For Poesy my heart and pulses beat,
For Poesy my blood runs red and fleet,
As Moses' serpent the Egyptians' swallow'd,
One passion eats the rest. My soul is follow'd
By strong ambition to out-roll a lay,
Whose melody will haunt the world for aye,
Charming it onward on its golden way.
'Tis not for me, ye Heavens ! 'tis not for me
To fling a poem, like a comet, out,
Far splendouring the sleepy realms of night.
I cannot give men glimpses so divine,
As when, upon a racking night the wind
Draws the pale curtains of the vapoury clouds,
And shows those wonderful mysterious voids
Throbbing with stars like pulses.”

If our Irish verse writers were taught to think lines like these contain the *germs* of poetry, and the true feelings of a genuine poet, we should not now be so flush of bards,—and our home poets would be world poets ; or, but aspiring to the dignity of an album flight, would know nothing of the critics, would never

be forced to feel as that orator who, though eloquent as Demosthenes whilst addressing the pot-herbs in his garden, found that his ideas failed him when about to express his sentiments in a grave assembly, and excused himself for his blundering, by exclaiming—"Gentlemen, I perceive clearly that you are not cabbages."

To be a true poet one must be gifted with something superior to a taste for poetry,—and this distinction between taste and genius was truly and concisely expressed by Blair, when he wrote, that "taste consists in the power of judging, genius in the power of executing." Here it is that Dr. Waller fails. He is a man of considerable taste, and of apparently extensive reading in the poetry of various languages; but the astute acumen of the most brilliant critic, coupled with the widest range of study in belles lettres, could not form a poet, or supply the defect of poetic genius. Hence, we find that Dr. Waller has not succeeded in producing a poem, whilst he has written very many pleasing, and even admirable songs. He has been so frequently called a poet that he has really begun to fancy himself one—and soaring above lyrics and translations, has printed twenty-two pieces in blank, and rhyming, metres, which he courageously entitles "Poems."

We have stated that Dr. Waller is gifted with the power of producing very excellent lyrics, and for this branch of poetic composition, his little work proves his perfect aptitude; and proves, too, the great accuracy of Doctor Johnson's remark, that—"all intellectual improvement arises from leisure, and poetry demands it more imperatively than any other pursuit." Dr. Waller is a barrister, has written a legal work, attends Court regularly, employs himself as other men, and thus, in endeavouring to unite Law and Poetry, has forgotten the sage lines in which we are told, by Sir William Blackstone,—

"The wrangling courts, and stubborn law,
To smoke, and crowds, and city draw :
There selfish faction rules the day,
And Pride and Avarice throng the way ;
Diseases taint the murky air,
And midnight conflagrations glare ;
Loose Revelry and Riot bold,
In frightened streets their orgies hold ;
Or when in silence all is drown'd,
Fell murder walks her lonely round ;
No room for peace, no room for you,—
Adieu, celestial Nymph, adieu."

Forgetful of this wise opinion, recorded by the most ac-

complished of jurists, Dr. Waller has attempted to be a lawyer and a poet, and has failed.

The misfortune of a poetic taste is, that it induces one to read poetry extensively; from reading arises admiration, and from admiration unconscious imitation springs, as a necessary consequence. Thus, when Coventry Patmore fancied that, in his *Lilian*, he gave to the world that precious thing, an original poem, he was only vexing the expectant reader with a weak copy of *Locksley Hall*; and Dr. Waller, who can write an admirable original song, must swell his volume, by placing before us his *Ravenscroft Hall*, his *Sleep and Death*, and his *Laborare est Orare*, which merely prove that he is an ardent admirer, and possesses a very just estimate, of all the beauties of Tennyson, of Longfellow, and of Byron.

In reading Dr. Waller's *Ravenscroft Hall*, we were most forcibly reminded of Tennyson, and of Alexander Smith; and certainly not to the advantage of our author. The plot of this tale is simple. The heroine is named *Alice*, and is introduced to us seated at a window, at a time when

"The flush of day
Had paled from crimson to that nameless hue
That tints the sea-shell."

Now, this description of the Doctor's, "sweet summer eve" is nothing more than an imitation of Alexander Smith's picture of *Violet*, in his *Life Drama*, where *Edward* tells *Walter* that

"On her cheek
The blushing blood miraculous doth range
From sea-shell pink to sunset."

Why did Dr. Waller call her *Alice*? Why did he seat her at a window? Who has not loved that other darling *Alice*, in *The Miller's Daughter*? There the boy hero had been wandering in the woods, and through his mind there ran the strain of some old love ditty—

"The phantom of a silent song,
That went and came a thousand times—"

and looking towards the casement of the miller's house he beholds his "other, dearer, life in life." Why did Dr. Waller call his poet-hero *Walter*? We have *Walter*, a true poet, in the *Life Drama*. Why did Dr. Waller commence his piece in Elizabethan idiom, and just seven pages afterwards introduce the 41st, 42nd, and 43rd stanzas from *The Talking Oak*, of, as *Alice* calls him, "Delightful Tennyson?"

But to the story: *Alice*, like *Tilly Slowboy*, is "an orfing," left in her tender infancy to the care of *Old Ravenscroft*. *Old Ravenscroft* has two sons, both these youths love *Alice*, and *Alice* loves *Ralph*, the elder son, and never for a moment thinks of *Walter*, the younger son, to whom she is everything; for, as he tells her, in a song,

"—— I seek to live in the rays,
The melting rays of thy starry eye."

Walter, with all his poetry, is a "muff"—he cannot witness the union of *Alice* and *Ralph*; she adds insult to rejection by singing to *Ralph*, as the expression of her feelings for him, a song which *Walter* had presented as the embodiment of his affection for her—which piece of roguery the jade had accomplished, as Dr. Waller informs us, thus:—

"It was his own song,
With here and there a word put in or changed.
A 'thee' for 'me,' thus made to speak the love
Of her he loved unto his happy rival."

The song is unworthy Dr. Waller's lyric powers—it is in the worst style of The Poet Bunn—and *Walter* appears to care little for his copyright—he does not cry—"that's my thunder"—but rushes to his father, abuses him, quarrels with his brother, and all but, "pitches into" the more successful young gentleman. That night *Walter* leaves his home, and wanders away, none know whither; true—

"Old Ravenscroft
Made search for him throughout the country round,
Instant and close, but tidings learned he none."

And all that his respectable father could discover of *Walter's* flight was, that upon the day of his departure,

"—— A youth was seen
Treading a sylvan pathway towards the coast,
Carrying a bundle, in a kerchief tied,
And slung upon a staff."

Time rolls on—full seven years pass:—

"Alice and Ralph had wed;
And two fair children blessed their happy home—
The home where Moreton and his wife had dwelt,
Some three hours' pleasant ride from the old hall."

Parturient and affectionate, here the happy heroine dwelt, enjoying, we may presume, as her health permitted, the salubrious advantages of the "three hours' pleasant ride," when she wished to visit the old gentleman.

At length, on a Christmas-eve, *Walter* returns incog. He

attends the parish church the following day—hears the songs of the children, sees his father in the family pew. The old man looks care-worn, *Walter's* heart is touched, he makes himself known—and a happy Christmas dinner crowns the joy of all concerned, including *Ralph* and *Alice*. *Walter* remains at home—the father dies, who, to use an expression of *Mr. Harry Foker's*, “cuts up fat,” and some time afterwards,

“ — It came to pass
That *Ralph* and *Alice* died, and *Moreton's* lands
Descended to their daughters; but the Hall
Was *Walter's* by inheritance.”

Walter rears his nieces till “opening womanhood,” then dies, and leaves them all he possessed; his last request being that, each Christmas morning, at dawn of day, a choir of children should

“Proclaim the Saviour's birth in Carol sweet,
Before the Oriel window at the Hall.”

Why Dr. Waller has called *Ravenscroft Hall* a poem, we cannot conceive. It is as prosaic as prose can be. It never rises above the merest common-place, and when descriptive of external nature is painful in its minuteness. In describing an ancient church, he writes thus:—

Lofty nave and choir,
With intersecting transept—high, square tower—
Doorways, where from the clustering shafts upspring
The pointed arch, and in whose deep recess
Arch within arch, in lessening span and height,
Rise from the frequent columns, shortening still
As they retire, while still betwixt the shafts,
And o'er the archivolts, run mouldings quaint,
Zig-zag and toothed, trefoils, leaves and flowers—
The mullioned windows, in whose graceful sweep
The rose evolves its intersecting curves
In florid tracery, wherein is seen
The gorgeous light of many-tinted glass—
Buttress and parapet, and gargoyles quaint,
Grotesquely leaning from the heavy eaves.—
Beautiful temples!—

This is not poetry. It is not thus that Byron and Tennyson describe an object. Take the noble poetry in which the former paints the ruined glories of Greek and Roman greatness; take the lovely visions of oriental scenery, in which Tennyson describes those “islands at the gateways of the day” and the—

“Larger constellations burning, mellow moons and happy skies,
Breadths of tropic shade and palms in cluster, knots of Paradise.

Never comes the trader, never floats an European flag,
Slides the bird o'er lustrous wood land, droops the trailer from
the crag;

Droops the heavy blossom'd bower, hangs the heavy-fruited tree—
Summer isles of Eden lying in dark purple spheres of sea."

Take Wordsworth, and in his deep-thoughted lines, no labored juggling with technicality is discoverable—but Dr. Waller either is ignorant, or forgetful of the great rules of his art, and endeavours to supply his deficiency in poetic diction, by an inversion of his prose.

In his *Sleep and Death*, the second piece of the volume before us, the author takes his epigraph from Shelley, and incited by the lines—

"How wonderful is Death,
Death, and his Brother, Sleep,"

introduces many scenes much better written by Moore, by Wilson, by Robert Montgomery, and by Robert Pollok. Indeed, Dr. Waller seems particularly anxious to attempt what great poets have already accomplished. He writes odes, forgetting Dryden and Collins. He writes a *Song of the Lark*, forgetting Shelley and Hogg. He writes songs of Irish peasant life, forgetting that greatest of living Irish song writers—Samuel Lover. He writes his *Slingsby Papers*, forgetting that they are only the worst of all bad imitations of the ever glorious *Noctes Ambrosianæ*. He writes a *Laborare est Orare*, of fourteen stanzas, forgetting that the whole inspiration of his verses is found in Longfellow's *Excelsior*, and he has endeavoured to excite the reader's feelings by a harrowing portrayal of physical suffering, in his *Sleep and Death*, forgetting that, in *The City of the Plague*, Wilson, years ago, accomplished this as only a poet could achieve it, yet drew from Southey the criticism that it was "like bringing racks, wheels, and pincers upon the stage to excite pathos. No doubt but a very pathetic tragedy might be written upon 'the Chamber of the Amputation;' cutting for the stone, or the Cæsarean operation; but actual and tangible horrors do not belong to poetry. We do not exhibit George Barnwell upon the ladder to affect the gallery now, as was originally done; and the best picture of Apollo slaying Marsyas, or of the Martyrdom of St. Bartholomew, would be regarded as more disgusting than one of a slaughter-house, or of a dissecting-room." This melo-dramatic plan is a common fault with many writers of verse in our

time; even in the books before us, we find the Reverend Mr. Brooke devoting his muse to such subjects as *Inflammation, Scarlet Fever, Consumption, Fever, Delirium Tremens, Infant Death, Sudden Death, and Violent Death*. But writers, who select such subjects as these, should bear in mind an observation of Fuseli's, that, "When Spenser dragged into light the entrails of the serpent slain by the Red Cross Knight, he dreamt a butcher's dream, and not a poet's."

We have not written thus of our author, either needlessly or unfairly. But can Dr. Waller really consider that such productions as these entitle any man to call them Poems, or to designate himself a poet? What is a Poet? One who makes the world bow down before the beauty, or the majesty, or the holiness, or the human naturalness of his creation. When, in the grand cadence of Milton's lines, the glory of the Lord, the wonders of the earth, the philosophy of a Christian belief breathing the majesty of Heaven-fired genius, swell into that diapason which sounds like to the strains of melody that he who loves sweet music hears in his morning dreams—then John Milton is a Poet. When, in every phase of fancy, so godlike, so lofty, so true, we follow that "heavenly Una" through her weary, dark, and lonely way, the sunshine of her loveliness the only light to guide her—then Edmund Spenser is a Poet. When, in all the paths of human existence, from Prince to Clown, *Hamlet* and *Macbeth*, *Hal* and *Autolycus*—from noble lady to low-born peasant wench—*Lady Macbeth* and *Juliet*, to *Hostess Quickly* and *Audrey*, great Shakspeare sounds every depth of feeling, sways every passion, and rules every breast, by the magic of his own great heart-taught genius—then William Shakspeare is a poet. When that second, lesser Shakspeare,—who sang of nature in her homely moods, and in passion, love, and youth's full soul, found teachers such as schools have never furnished; when from his life, in humble youth, he drew such charms as only poets know, and left to after time such thought of beauty, manliness, and patriotism, as shall endure whilst nature lasts—then Robert Burns was a poet—and whilst Homer, Dante Ariosto, Tasso, Byron, Scott, Moore, great, thoughtful Wordsworth, Crabbe, Cowper, Tennyson—all swell the roll of Poets,—then can Doctor Waller call the twenty-two pieces, first printed in his volume, Poems? Do they possess a claim to any other classification than that of metrical commonplaces?

Do they show a mind like his, of whom Tennyson sings:—

“He saw thro’ life and death, thro’ good and ill,
He saw thro’ his own soul,
The marvel of the everlasting will,
An open scroll,
Before him lay: with echoing feet he threaded
The secret’st walks of fame:
The viewless arrows of his thoughts were headed
And wing’d with flame.”

If Dr. Waller would only remember these truths he would avoid long metrical pieces; he would not turn the Lord’s Prayer into blank verse; he would not paraphrase the Burial Service; and would not perpetually remind us, in the words of his rather stale fancy, that life is like a stream. We wish Dr. Waller well, and we write plainly of his “Poems,” because we are anxious to show him that his genius is lyrical. In long pieces, he is not superior to Mr. John Edmund Reade,* who re-writes Byron, unconsciously; and he merely excels Mr. Coventry Patmore, who copies his best bits from Tennyson, and who, when inspiration becomes too powerful to be intelligible, smoothes its ravings in a mist of asterisks.

But it may be asked—is Dr. Waller a mere poetaster—is he one of the literary shams—the fungus excrescences of the periodical press? Far, far indeed, from this, we reply. He has only mistaken his powers; and, though he is not, as a song writer, equal to Samuel Lover, or Charles Swain, he is amongst the best, the sweetest, and most poetical lyrists of the time; yet in two of his best songs he has made three mistakes. In the first, he reminds us of Gerald Griffin’s *Gille Machree*, and of Lover’s *What Will You Do, Love?*† In the second, he is not Irish—he is Anglo-Irish—and his *Dance Light, for my Heart It Lies Under Your Feet, Love*—is not more genuinely Irish than *Katty Darling*, a veritable Cockney-Celtic production. We first insert, *Welcome as Flowers in May*:—

At day’s declining, a maid sat twining
A garland shining with wild flowers gay;
But her heart it was sore, and the tears swelled o’er
Her eye, at the door, on that eve in May.
“And take,” she cried, to her young heart’s pride,
“From your plighted bride, on this holy day,
A true-love token of fond vows spoken
That may not be broken—these flowers of May.
“In life and in death, if you hold to your faith,
Keep ever this wreath, ’twill be sweet in decay;
Come poor or with wealth, come in sickness or health,
To my heart you’ll be welcome as flowers in May.”

* See IRISH QUARTERLY REVIEW, Vol. II., No. 7, p. 461.

† See this exquisite song in “Handy Andy.”

" Yet oh, if ever, when wide seas sever
Our hearts, you waver in faith to me,
A true Irish maid will never upbraid
Affection betrayed—from that hour you're free !

" I set small store upon golden ore,
I'll not love you the more for your wealth from the sea ;
The hand that will toil at our own loved soil,
Free from crime or from spoil, is the hand for me !"

The blessing halfspoke, her fast tears choke,
And strong sobs broke the young man's prayer ;
One blending of hearts, and the youth departs—
The maid weeps alone in the silent air.

Full many a score that lone maid counted o'er
Of day-dawns and night-falls—a year to the day—
When, sadly, once more, at the seat by the door,
Stood the youth as before, on that eve in May.

For the love of that maid, wherever he strayed,
Kept his soul from stain, and his hand from guilt ;
Like an angel from God, till his feet retrod
The cherished sod where his first love dwelt.

" I bring you no store of the bright gold ore
But poor as before, I return to-day ;
For my bride I've no wealth but broken health,
Hopes withered and dead as these flowers of May."

The maiden has pressed her true love to her breast,
Her joyful haste no doubts delay ;
In his arms she sighs " 'Tis yourself I prize,
To my heart you are welcome as flowers in May !"

Now to all who remember the songs by Griffin and Lover, to which we have referred, it must be evident that the last three stanzas of Dr Waller's lyric are nothing more than palpable "cribs." "'Tis yourself I prize"—is a piece of abominable vulgarity, in its expression, which Lover, like a true poet, has refined, whilst retaining all its strength, in the last stanza of his *What Will You Do, Love*. Dr. Waller, indeed, seems to have formed the style of his songs upon a metre in which Lover excels—namely, the short rhyming line—as we find it in *Molly Carew*, in *The Bould Soger Boy*, and in *Native Music*.

We place before the reader our author's very pretty song, which he entitles—

DANCE LIGHT, FOR MY HEART IT LIES UNDER YOUR FEET, LOVE.

" Ah, sweet Kitty Neil, rise up from that wheel—
Your neat little foot will be weary from spinning ;
Come trip down with me to the sycamore tree,
Half the parish is there, and the dance is beginning.
The sun is gone down, but the full harvest-moon
Shines sweetly and cool on the dew-whitened valley ;
While all the air rings with the soft, loving things
Each little bird sings in the green shaded alley."

With a blush and a smile, Kitty rose up the while,
 Her eye in the glass, as she bound her hair, glancing ;
 'Tis hard to refuse when a young lover sues—
 So she could'nt but choose to—go off to the dancing.
 And now on the green, the glad groups are seen—
 Each gay-hearted lad with the lass of his choosing ;
 And Pat, without fail, leads out sweet Kitty Nell—
 Somehow, when he asked, she ne'er thought of refusing.

Now, Felix Magee puts his pipes to his knee,
 And with flourish so free, sets each couple in motion ;
 With a cheer and a bound, the lads patter the ground—
 The maids move around just like swans on the ocean.
 Cheeks bright as the rose—feet light as the doe's,
 Now coyly retiring, now boldly advancing—
 Search the world all round, from the sky to the ground,
 No such sight can be found as an Irish lass dancing !

Sweet Kate ! who could view your bright eyes of deep blue,
 Beaming humbly through their dark lashes so mildly,
 Your fair-turned arm, heaving breast, rounded form,
 Nor feel his heart warm, and his pulses throb wildly.
 Young Pat feels his heart, as he gazes, depart,
 Subdued by the smart of such painful yet sweet love ;
 The sight leaves his eye, as he cries with a sigh,
 "Dance light, for my heart it lies under your feet, love !"

This, as we have already stated, is not Irish ; it has an Irish tag to Cockney verses.

The lines entitled, *There's a Lining of Silver to Every Cloud*, are in Dr. Waller's best manner ; and though the metre has, as *Thuchstone* says, "the right butter woman's rank to market," in its gingle ; and whilst the lines have also "the very false gallop of verses," yet they are so poetical, that we must, "infect ourselves with them" :—

"THERE'S A LINING OF SILVER TO EVERY CLOUD."

"Did a sable cloud
 Turn forth her silver lining to the night."—MILTON.

One winter night dreary,
 Dejected and weary,
 I kept my lone vigil of sorrow and care ;
 Mistrusting—mistaking—
 My heart full to breaking—
 My soul seeking comfort, and finding
 Despair !

All wildly and chilly
 The wind whistled shrilly,
 Drifting the clouds o'er the desolate sky ;
 Low moaned the ocean
 In ceaseless commotion,
 Dashing the spray of its billows on high !

Tearfully gleaming,
 The young moon was beaming,
 Struggling by fits through each gathering
 cloud ;
 Faint light now shedding,
 Dark shades now spreading
 Over the moonshine their vapoury shroud !

Ah ! thus, thought I, sighing,
 From birth to our dying,
 Man's course is a struggle through trial and
 gloom ;
 Joy gives scarce a promise
 That grief rends not from us,
 O'er the light of our life looms the shade of
 the tomb !

But soon, to my wonder,
 The cloud burst asunder,
 And down through the fissure now streamed
 the moon's light ;
 Soft fell its splendour,
 So tranquil and tender,
 In showers of sheen on the face of the night

While all the cloud's margent
 Was gleaming like argent—
 Tho' earthward still sullen and dark was its
 shroud
 I knew that towards Heaven
 Its brightness was given—
 A lining of silver spread over the cloud !

Then my soul rose in gladness,
And shook off its sadness,
I felt God can turn all our darkness to
light;—
To-day what is sorrow
Make joy on the morrow—
Dry tears that are hiding His smiles from
our sight!

I looked up, confessing
That Trial is Blessing,
To Him if each grief be spread out and
avowed;
What from earth Man sees glooming;
God above is illuming—
"There's a lining of silver to every cloud!"

And here, for the present, we close our notice of Dr. Waller's poems. We observe that the press, both in Ireland and in England, have extended but little mercy to his book; and although we do not, as we have already stated, believe him to be a great poet, or a man possessed of remarkable genius or power, yet he really has undoubted claims to be considered a song writer of very brilliant fancy; whilst his versification is frequently full of sweet and charming melody.

Melody of rhyme and harmony of expression, however, do not make a POET. If it were so, Charles Swain, and other well-known song writers of our day, might rank, in the realms of Parnassus, with Byron, and Scott, and Wordsworth; but a POET must possess all these attributes, and, in addition, thought, before he can live in the hearts of his readers:—to resemble is not to be, and the hare which beat the drum so admirably—for a hare—was not a drummer, but only a hare beating a drum. If, in writing of Dr. Waller's little book, we have stated opinions apparently harsh or hypercritical—we have merely expressed, honestly, our genuine sentiments. We have no personal knowledge of Dr. Waller: we only know that he is a Tipperary man, and, therefore, must be a good fellow; he is a member of the Leinster Circuit, and must be a jolly, good-humored gentleman; he is a scholar, and a man of ability,—and our sole object has been to show him that he is not such a poet as his puffers would induce him to believe—the world and cliques judge differently of men's minds. Let Dr. Waller depend upon his own genius, then the critics will quickly learn his real worth, and instead of writing such absurdities as *Ravenscroft Hall*, he will delight his readers with many pieces as poetic and fanciful as—

THE FIRST CUCKOO IN SPRING.

One sweet eve in spring, as the daylight died,
Mave sat in her bower by her father's side;
(Cuckoo! Cuckoo!) so soft and so clear,
Sang the bonny cuckoo from a thicket near:
(Cuckoo! Cuckoo!) "Do listen, my dear,
'Tis the first cuckoo's note I have heard this year."

The maiden smiled archly, then sighed—" 'Tis long
I've waited and watched for that sweet bird's song"
(Cuckoo! Cuckoo!) "Ere winter he'll roam
With some beloved mate to his distant home."
(Cuckoo! Cuckoo!) "Ah, would I might roam
With that bonny cuckoo to his distant home."

The old man he frowned at the maid, and said,
 "What puts such wild thoughts in your foolish head?"
 (Cuckoo! Cuckoo!) "No maid should desire
 To roam from her own native land and sire."
 (Cuckoo! Cuckoo!) "I don't love a note
 That comes from that foreign bird's weary throat."

"The blackbird and throistle, I love their song,
 They cheer us through summer and autumn long;"
 (Cuckoo! Cuckoo!) "And then they ne'er roam,
 But they mate and they live all the year at home;"
 (Cuckoo! Cuckoo!) "Tis still the same note
 That comes from that foreign bird's weary throat."

The old man he sleeps in the drowsy air,
 While soft from his side steals his daughter fair.
 (Cuckoo! Cuckoo!) There's a bird in the grove
 That sings a sweet song all young maidens love—
 (Cuckoo! Cuckoo!) Says the bird from the grove,
 "I'm weary cuckooing this hour, my love."

The old man he dreams that the cuckoo sings
 Close up to his ear very wondrous things;
 (Cuckoo! Cuckoo!) "I love your dear Mave,
 And won her young heart just without your leave."
 (Cuckoo! Cuckoo!) "She is willing to roam
 From her own beloved nest to my distant home."

Half in fear, half in anger, her sire awakes,
 As her lips on his brow a soft farewell takes.
 (Cuckoo! Cuckoo!) The old man is alone,
 For vision, and cuckoo, and child are gone;
 (Cuckoo! Cuckoo!) A sweet voice whispers near,
 "We'll be back with the cuckoo in spring next year."

In conclusion, we would advise Dr. Waller never again, either under his nom de plume, *Jonathan Freke Slingsby*, or his real name, to publish another *Slingsby Paper*, or *Night With the Mystics*. He is neither learned enough, nor sufficiently well read, to justify his attempting a class of composition in which only one man has succeeded. When Dr. Waller can justly claim to be as learned, as richly gifted with genius, as buoyant in the strong tide of animal spirits, as fully acquainted with literature, as refined and piercing in criticism as Professor Wilson—then, and not till then, should he essay once more to produce *A Night With the Mystics*. His past efforts have been stupid, inane, and tedious—unworthy of him—of *The University Magazine*, and suited only to some struggling, petty serial of the London trade puffers. This is a plain expression of opinion, but it is true, in its fullest and plainest meaning.

Mr. M'Carthy is well known, to many of our readers, as a contributor of poetic pieces to *The Dublin University Magazine*. Before joining that periodical he was a writer of fierce songs, of the "wrath and cabbage" style of patriotism, so much in vogue some few years ago in Ireland. His book

possesses all the beauties of Dr. Waller's volume, and is unmarked by the possession of one single blemish of the Doctor's muse. But is Mr. M'Carthy a POET? Do his thoughts live in the heart, and come back upon the memory in hours of joy or grief?—Do they make glad a summer noontide musing, or start to the lips when gentle heads are bowed to listen, or when thoughts are cast out in words, as mind is matched with mind, when the household sit around the winter fire, or by the student's table? These are the magic attributes of great poems; and though Mr. M'Carthy does not possess all these grand powers, he has thoughts and melodies of verse that charm the reader, till he longs for new and more frequent strains from one who sings so sweetly, and with such true, and deep, and gushing music.

M'Carthy has not the wild and flashing genius of Alexander Smith; he has not the mysticism of Tennyson; he has not the great, deep-hearted poetry of Massey, that

"Child of misery baptized in tears:"

but he has a fine and glowing fancy, full of poetic thoughts, and of quiet pathos, that serve him well, in weaving those charms that form bright spells to make his readers love the sweet creations that shine in his *Voyage of St. Brendan*, in *The Bell Foundler*, and in many of his shorter pieces.

Those who are acquainted with Mr. M'Carthy's poems, must have regretted that he has confined himself to magazine writing, and to translations. A man of his poetic power can soar into space, so high, that Dr. Waller's wings can never bear him near the point; and hence it comes to pass that we would counsel Mr. M'Carthy to imp his fancy to bolder flights, whilst we would advise Dr. Waller to remember that poetics are not poetry. Because Mr. M'Carthy's ability is great, we have compared him, as a poet, with the poets of our own day, rather than with those of an earlier era. Byron, Moore, Scott, and Shelley are, day by day, becoming to the young poets of our time what Pope and Thomson were to those just named; great lights by which to steer, not run against; and he who strikes out for himself in this age, even old thoughts, clothed in any versification save that of Pope and of his contemporaries, is most likely to be named a poet: he who attempts to write in the metre and style of Byron or Moore is sure to be proclaimed a plagiarist. Therefore it is that we have named Tennyson, and other poets of to-day, in writing of M'Carthy. Hence, too, it may be, that Mr. M'Carthy has squandered

his genius and time in translating, and in translating, in particular, such poems as those of Calderon: works, with a translation of which, however well executed, no man who is acquainted with the Spanish language can express himself satisfied,—more than he who understands German can feel pleased with any translation of *Faust*; and it appears to us that Mr. M'Carthy has been employed to translate Calderon's plays, for the simple purpose of enabling Mr. Charles Dolman to prove, that if Spain possessed an Inquisition, she also possessed a dramatic poet; and in preserving the metre of the language in which the plays were written, Mr. M'Carthy has presented his readers with an octo-syllabic metre, very Hudibrastic, and verging, sometimes, upon the doggerel, and occasionally upon the ludicrous: as, for example, the following:—

FIRST MOOR.

Here is a Christian lying dead.

SECOND MOOR.

Let us, lest a plague should spread,
Throw these corpses in the sea.

BRITO, *starting up.*

First your skulls must opened be
By such cuts and thrusts as these;
For, even dead, we still are Portuguese.*

These are the absurdities continually occurring in the translations, which Mr. M'Carthy should never have undertaken, and when he had undertaken them, he should have avoided the embarrassing metre selected, which continually reminds one, in its blank verse, of *The Critic*—in its rhyming metre, of the "tags" in *Chrononhotonthologos*.

That Mr. M'Carthy has translated Calderon's *Dramas* well and ably, we admit. Possibly since the sketches, or beauties, of the *Dramas* appeared in *Blackwood's Magazine*, thirty-four years ago, when Lockhart was introducing these *Dramas* and *The Spanish Ballads* † to English readers, no such excellent versions have been published. We are not now reviewing these translations; we shall devote to them a more considerable space than our present paper will permit; we have introduced them here as we could not permit so remarkable a work, by an Irish resident litterateur, to pass without a reference, however slight.

* See "Dramas of Calderon." Vol. I. p. 40.

† See "Blackwood's Magazine," from February, 1820, to 1825—the papers are entitled "Horræ Hispanicæ."

In poetic description of external scenery, lies Mr. M'Carthy's chiefest power : his best poem, as affording brilliant evidence of this opinion, is the exquisite *Voyage of St. Brendan*. The following passage, descriptive of the mocking bird, is from that portion of the last-named poem, entitled "The Paradise of Birds," and is extremely beautiful :—

Colour and form may be conveyed in words,
But words are weak to tell the heavenly strains
That from the throats of these celestial birds
Rang through the woods and o'er the echoing plains :
There was the meadow-lark, with voice as sweet,
But robed in richer raiment than our own ;
And as the moon smiled on his green retreat,
The painted nightingale sang out alone.

Words cannot echo music's winged note,
One bird alone exhausts their utmost power ;
'Tis that strange bird whose many-voiced throat
Mocks all his brethren of the woodland bower—
To whom indeed the gift of tongues is given,
The musical rich tongues that fill the grove,
Now like the lark dropping his notes from heaven,
Now cooling the soft earth notes of the dove.

Oft have I seen him, scorning all control,
Winging his arrowy flight rapid and strong,
As if in search of his evanished soul,
Lost in the gushing ecstasy of song ;
And as I wandered on, and upward gazed,
Half lost in admiration, half in fear,
I left the brothers wondering and amazed,
Thinking that all the choir of Heaven was near.

Was it a revelation or a dream ?—
That these bright birds as angels once did dwell
In Heaven with starry Lucifer supreme,
Half sinned with him, and with him partly fell ;
That in this lesser paradise they stray,
Float through its air, and glide its streams along,
And that the strains they sing each happy day
Rise up to God like morn and even song.

Mr. M'Carthy is not a very deep student, or a very profound analyst of human passion ; but of beauty, in all its phases and forms, he is a brilliant painter. The following lines are from his fairy tale, *Alice and Una*, and we insert them, as they are a very charming specimen of a style of metre, the leonine, in which Mr. M'Carthy excels.*

Maurice, the lover, is supposed to enter the fairy glade, and the half elfin, half ideal, beauty of his mistress is thus described :—

With a sullen sound of thunder, the great rock falls asunder,
He looks around in wonder, and with ravishment awhile,
For the air his sense is chaining, with as exquisite a paining,
As when summer clouds are raining o'er a flowery Indian isle ;
And the faces that surround him, oh ! how exquisite their smile,
So free of mortal care and guile.

* But our poet occasionally nods, until he all but tumbles, in pursuing this troublesome and most embarrassing metre, as for example :—

"All maidens will *abhor us*—and it's very painful for us
To tell how faithless Maurice forgot his plighted vows."

These forms, oh! they are finer—these faces are diviner
 Than, Phidias, even thine are, with all thy magic art;
 For beyond an artist's guessing, and beyond a bard's expressing,
 Is the face that truth is dressing with the feelings of the heart;
 Two worlds are there together—Earth and Heaven have each a part—
 And such, divinest Una, thou art!

And then the dazzling lustre of the hall in which they muster—
 Where brightest diamonds cluster on the flashing walls around;
 And the flying and advancing, and the sighing and the glancing,
 And the music and the dancing on the flower-inwoven ground,
 And the laughing and the feasting, and the quaffing and the sound,
 In which their voices all are drowned.

But the murmur now is hushing—there's a pushing and a rushing,
 There's a crowding and a crushing, through that golden, fairy place,
 Where a snowy veil is lifting, like the slow and silent shifting
 Of a shining vapour drifting across the moon's pale face—
 For there sits gentle Una, fairest queen of fairy race,
 In her beauty, and her majesty, and grace.

The moon by stars attended, on her pearly throne ascended,
 Is not more purely splendid than this fairy-girted queen;
 And when her lips had spoken, 'mid the charmed silence broken,
 You'd think you had awoken in some bright Elysian scene;
 For her voice than the lark's was sweeter, that sings in joy between
 The heavens and the meadows green.

But her cheeks—ah! what are roses?—what are clouds where eve reposes?—
 What are hues that dawn discloses?—to the blushes spreading there;
 And what the sparkling motion of a star within the ocean,
 To the crystal soft emotion that her lustrous dark eyes wear?
 And the tresses of a moonless and a starless night are fair
 To the blackness of her raven hair.

In the volume before us there is a noble ballad poem, entitled *The Foray of Con O'Donnell*. It has all the dashing vigor that has given so wide a fame to Aytoun's *Lays*, and is extremely creditable to Mr. M'Carthy. We have seldom read a poetic description of an animal more striking than the following lines descriptive of a hound—the words are supposed to be recited by one of the bards,—and after the song has been concluded, the chief and retainers go forth and surprise the stronghold of the enemy. The whole passage is worthy of insertion:

"When comes the raven of the sea
 To nestle on an alien strand,
 Oh! ever, ever will he be
 The master of the subject land.
 The fairest dame, he holdeth her—
 For him the noblest steed doth bound :—
 Your dog is but a household cur,
 Compared to John Mac Donnell's hound!

"As fly the shadows o'er the grass,
 He flies with step as light and sure,
 He hunts the wolf through Trostan pass,
 And starts the deer by Lisanoure!
 The music of the sabbath bells,
 Oh, Con! has not a sweeter sound,
 Than when along the valley swells
 The cry of John Mac Donnell's hound.

"His stature tall, his body long,
 His back like night, his breast like snow,
 His fore-leg pillar-like and strong,
 His hind-leg like a bended bow;
 Rough, curling hair, head long and thin,
 His ear a leaf so small and round:
 Not Bran, the favourite hound of Fin,
 Could rival John Mac Donnell's hound.

"O Con! thy bard will sing no more,
 There is a fearful time at hand;
 The Scot is on the northern shore,
 The Saxon in the eastern land,
 The hour comes on with quicker flight,
 When all who live on Irish ground
 Must render to the stranger's might
 Both maid and wife, and steel and hound!"

The trembling bard again retires,
But now he lights a thousand fires;
The pent-up flame bursts out at length,
In all its burning, tameless strength.
You'd think each clansman's foe was by,
So sternly flashed each angry eye;
You'd think 'twas in the battle's clang,
O'Donnell's thundering accents rang!

"No! by my sainted kinsman, no!
This foul disgrace must not be so;
No! by the Shrines of Hy, I've sworn,
This foulest wrong must not be borne.
A better steed!—a fairer wife!
Was ever truer cause of strife?
A swifter hound!—a better steed!
Columba! these are cause indeed!"

Again, like spray from mountain rill,
Up started Con:—"By Collum Kille,
And by the blessed light of day,
This matter brooketh no delay.
The moon is down—the morn is up—
Come, kinsmen, drain a parting cup,
And swear to hold our next carouse,
With John Mac John Mac Donnell's spouse!"

"We've heard the song the Bard has sung,
And as a healing herb among
Most poisonous weeds may oft be found,
So of this woman, steed, and hound,
The song has burned into our hearts,
And yet a lesson it imparts,
Had we but sense to read aright
The galling words we heard to-night.

"What lesson does the good hound teach?
Oh! to be faithful each to each!
What lesson gives the noble steed?
Oh! to be swift in thought and deed!
What lesson gives the peerless wife?
Oh! there is victory after strife;
Sweet is the triumph, rich the spoil,
Pleasant the slumber after toil!"

They drain the cup, they leave the hall,
They seek the armoury and stall,
The shield re-echoing to the spear
Proclaims the foray far and near;
And soon around the castle gate
Full sixty steeds impatient wait,
And every steed a knight upon—
The strong small powerful force of Con!

Their lances in the red dawn flash,
As down by Easky's side they dash;
Their quilted jackets shine the more,
From gilded leather brodered o'er;
With silver spurs, and silken rein,
And costly riding shoes from Spain:—
Ah! much thou hast to fear, Mac John,
The strong small powerful force of Con!

As borne upon autumnal gales,
Wild whirring gannets pierce the sails
Of barks that sweep by Arran's shore,
Thus swept the train through Barnesmore.
Through many a varied scene they ran,
By Castle Fin, and fair Strabane,
By many a hill, and many a clan,
Across the Foyle and o'er the Bann:—

Then stopping in their eagle flight,
They waited for the coming night,
And then, as Antrim's rivers rush
Straight from their founts with sudden
gush,
Nor turn their strong, brief streams aside,
Until the sea receives their tide,—
Thus rushed upon the doomed Mac John
The swift small-powerful force of Con!

They took the castle by surprise,
No star was in the angry skies,
The moon lay dead within her shroud
Of thickly folded ashen cloud;
They found the steed within his stall,
The hound within the oaken hall,
The peerless wife of thousand charms,
Within her slumbering husband's arms:

The Bard had pictured to the life
The beauty of Mac Donnell's wife.
Not Evir could with her compare
For snowy hand and shining hair;
The glorious banner morn unfurls
Were dark beside her golden curls,
And yet the blackness of her eye
Was darker than the moonless sky!

If lovers listen to my lay,
Description is but thrown away;
If lovers read this antique tale,
What need I speak of red or pale?
The fairest form and brightest eye
Are simply those for which they sigh;
The truest picture is but faint
To what a lover's heart can paint.

Well, she was fair, and Con was bold,
But in the strange, wild days of old,
To one rough hand was oft decreed
The noblest and the blackest deed.
'Twas pride that spurred O'Donnell on,
But still a generous heart had Con;
He wished to show that he was strong,
And not to do a bootless wrong.

But now there's neither thought nor time
For generous act or bootless crime;
Far other cares the thoughts demand
Of the small-powerful victor band.
They tramp along the old oak floors,
They burst the strong bound chamber
doors;
In all the pride of lawless power,
Some seek the vault and some the tower.

And some from out the postern pass,
And find upon the dew-wet grass
Full many a head of dappled deer,
And many a full-ey'd brown-back'd steer,
And helters of the fragrant skins—
The pride of Antrim's grassy Glynnies,—
Which with their spears they drive along,
A numerous, startled, bellowing throng.

They leave the castle stripped and bare,
Each has his labor, each his share;
For some have cups, and some have plate,
And some have scarlet cloaks of state,
And some have wine, and some have ale,
And some have coats of iron mail,
And some have helms, and some have spears,
And all have lowing cows and steers!

There are other poems in Mr. M'Carthy's book that prove him to possess powers of the very highest order, and it is to us a matter of serious regret that one so gifted should not have striven for—nay, should not have achieved—for with true genius to strive is to succeed—a fame as wide and general as his merit deserves. He should aim at some higher position than that of a provincial Apollo, and this can only be accomplished by taking a wider and bolder range of subjects; by appearing more frequently before the public in the character of an author, than in that of an occasional contributor to magazines; and, above all, by scorning to translate, on any terms, however easy the task may be, or however tempting the compensation offered.

There are other names of those who have, in Dublin, recently published poetical works, upon our list, but we must, for the present, content ourselves by briefly referring to them.

Mr. Starkey is the author of some very poetical pieces, and has also written a long poem, entitled *Judas*. He has contributed many of his shorter poems to *The University Magazine*, and has composed various metrical translations from the works of French and German poets. Mr. Starkey is a man of considerable ability; he is more contemplative than Mr. M'Carthy, and we recommend all our readers to make themselves acquainted with the pieces entitled *The Death of the Oak*, and *The Amphitheatre*, in the volume before us; *The Song of the Pen*, too, is very fine, in thought and execution, and *The Sonnets* are fanciful and poetical.

In his energy and force of expression, Mr. Starkey frequently reminds us of Robert Pollok: indeed the following passage, from Mr. Starkey's *Calypsis* is quite equal to some of the most powerful descriptions in *The Course of Time*. The *Spirit* has passed through many scenes, and, arriving in Britain, thus describes the ancient and modern inhabitants of the island:—

Medreamed that in my travel I arrived
At a sequestered spot.—What need to map
Its landmarks and localities, that men
Might say—'tis here?—Enough, that it was
in

Broad and magnificent England. A descent
Swept from the verge of a half thinned-out
wood

Into a fertile plain. A river went
Its way of peace along the humblest path
That it could find. And down the near descent

A bright brook brawled like infancy to find
Its river, and be silent in its arms.
Untended plants clung confidently round

Ancient oak-stumps, or peeping bits of rock,—
Where'er the charitable ivy failed
To keep its garment round the bones of
earth.

—The sun had set. Keen was the frosty air.
Goats bleated on the edges of the moor;
And from the scanty cope there came a
bark,—

A whining yelp, as of a houseless bound—
Or, it might be, a wolf.—A hut there stood
Upon the nether border of that slope,
Between the hill and stream; and it was
rude,—

Logs roughly squared, wattled all through
with twigs,

And daubed with clay ; the roof with shingles spread,
 And these kept down with stones. Above the hut
 Curled a blue, fragrant vapour. Near the door
 Lay a half-butchered stag upon his back,
 Deep in the brisket, with his antlered head
 Bent underneath him. I could now divine
 What meant the yelping from the neighbouring copse,
 And understood the culprit eagle's stare
 Out of his eyrie towards the reeking flesh,
 As if he weighed the danger of the theft
 Against the gain of thieving.—I beheld
 One tract was clear upon the topmost ridge—
 A broad back-bone of rock. And on that spot
 Huge stones stood in a ring against the sky,
 Like ghosts consulting. And within the ring
 Was a flat stone; and the flat stone was stained
 Red.—
 I beheld a man on the descent—
 A noble savage—lusty, though uncouth,
 A beechen spear grasped staffwise in his hand.
 He had been hunting—and he bore some flesh
 And skins upon his shoulder ; and his breath
 Stood on his bristly beard, as he approached
 The hut of logs. He stooped, and lifted up
 A stone. 'Twas black, and smooth, and chipped away
 Beneath his finger. And he looked awhile,
 And turned it round—and laughed ; for he did see
 A little leaf of stone in the black stone
 Drawn to perfection.—But he bore it home.
 And as I watched and wondered there, I saw
 A dark, fuliginous mass of dingy smoke
 Rise from the cottage roof.

— But I passed on.

* * * * *

A traveller, I entered a great town.
 The crush of human life swayed to and fro
 Within the streets, which groaned with
 waggons, driven
 Over the roaring causeways evermore.
 I heard the plashing clank of many wheels
 Rolled round in water ; and the measured
 stroke
 Of heavy hammers struck on bars of iron.
 There was the mumbling ravenousness of
 O fire
 ver its prey, as if it feared some foe
 Would snatch the fuel from its jaws, before
 The crackling bones were ashes.—And the
 smoke
 Of furnaces was vomited from the throats
 Of towering chimneys, high above the town,
 Each like an ebon column bearing up
 The overarching cloud which vaulted in
 This forge of earth from heaven.
 The workshops glow.
 Sweats the grimed giant at his Cyclop toil,
 Longing for eve, to lay his lubbar length
 Down in his den. And on a stage there
 stamped

An orator before a listening throng.—
 So vehement, you would have thought the
 world
 Hung on his talk ; although the roar around
 Turned to a pantomime his legs and arms,
 One ecstasy of action. I could hear
 Him utter "*liberty*," and "*rights of man* ;"
 But more the hubbub of the boiling town
 Snatched from my ears. But I had seen
 these words
 Posted about on walls, in characters
 Of every colour and preposterous size.
 There, in the twilight of a dingy room,
 A man sits bent above a whirling wheel,
 Holding some slender wires of steel in 's
 hand.
 A gauze-net masks his mouth, and a small
 dust
 Flies from the rods, as they do touch the
 wheel.
 His cough is hollow—brow oppressed with
 thought,
 And with disquietude. Two daughters near
 Are pranked as if for festival: bedight
 With combs of brass, and tawdry finery,
 Preparing to depart, and take their stand
 All day before the mules, within a room
 Vast as God's temples, and more thronged
 than they
 With that pale class which ministers to
 wealth.
 At length, sounds took a meaning in mine
 ears,
 And spoke a language I could construe.
 Hence
 Dull trappings came of troops upon the
 march—
 And that was war. And hence, despairing
 shrieks
 Of wives by drunkards struck—and that was
 vice,
 And hence, the hurried whisper of the
 thief—
 And that was crime. And hence, the chuck-
 ling laugh
 Of rogues dispensing justice to their clients,
 And taking their possessions as their fee—
 And that was law. And hence, the cries of
 babes
 Expiring at the breasts of milkless mothers—
 And that was poverty. And hence, the hum
 Of hundreds struggling in a stifling room
 To pass each other, over slippery floors,
 And under blazing lights—and that was
 fashion.
 And hence, the roar of reckless debauchees—
 Hip—hip—hurrah !—and that was pleasure.
 And
 Hence, the unceasing shovelling down of
 earth
 Over corruption—that was death. And
 hence,
 From every corner of the crammed ex-
 panse,
 The Babel-babble of the multitude
 Building out heaven—and that was human
 life.
 I saw a wall enclose an ample space,
 Whence waggons without number day by
 day
 Drew forth great loads of blackness. And
 within,
 Just in the centre of that space beneath

The melancholy toasting of a beam,
Which swayed for ever up and down, there
yawned

A gulf. And as I watched, came oozing up
From its infernal source, the thing itself.

I could not but admire the desperate haste
With which men seemed to seize the sight-
less ore,

And bear it off as if 'twere gold. But they
Told me that gold itself were worse than
dross

If it could not be made to purchase this.

This was what fed the fire, which nerved
the force,

Which urged the wheels, which worked the
million works,

Which minister to man, and make him
what?

Not God, nor like to God; but simply that
Which can dispense with God, or suffer
Him

A church or two, amidst a thousand fanes
To every idol of earth's Pantheon,
Given as a compromise to that fond few
Who choose to think that in these forward
times

God is for grown-up men.

I bent me down
And gathered up some fragments of the
thing
More precious than was gold. And I de-
cried

Within the shimmering of the brittle stone,
Traces of ferny leaves, and Ammonites,
And Nautili, and Favularie, thick
With foliage, and the taper Calamite,
And such included spectres of the past,
Cast from the chasms of their primeval
graves

To form the worship of a modern world.
I thought—and thought—long while: and
to my thought

There rose the vision of the future state
Reserved for these materials, thrust within
The furnace blast,—heaved up the roaring
throats

Of chimneys—turned adrift upon the clouds,
And hurried thence—whither? who knows?

And then
There rose the vision of the future state
Reserved for those who worshipped the black
stone.

* * * * *

And I was hurrying on.—But one ap-
proached,
Bright with the pearly lustre of the skies,
And, wafting me to a surpassing world
Of loveliness and amaranthine bloom,
Whispered within mine ear words full of
deep

And inexpressive meaning. Would that I
Had power to utter in the ear of earth
What was revealed in mine! The evasive
Truth

Stood up erect before me: how the fate
Of things gone by was yet to be fulfilled,
When of the myriad past no millionth part

Should prove to have been formed in vain:
how life

Slumbered in death, as death lay hid in life;
The soul that floats upon the waters, and
Sails through the air, and grows within the
ground,

The spirit of intelligence, and hope,
And power, and light, and beauty: how the
Last

Was from the First foreseen—provided for:—

How in the steaming of that torrid plain,
And in that black abyss of life-like death,

The vast metropolis of after days
Lay like a prophecy:—how wombed within

That mighty city, like an embryo,
Throbs its own destiny, for future birth

After the fashion of its parent, but
To nobler fortunes heir:—how in the full

Accomplishment of some deep-reaching
plan,

The Past, so lost in its entanglements,
Will hang connected like the golden chain

Fabled to hang from deity to earth,
Of which the loftier links bear all below,

But e'en the lowest hold the earth to
heaven:—

And thus, how all is part of one great whole;
And not a frond of Fern, or spiral shell,

Or fragment of the fragile Calamite,
But had its place and uses pre-ordained

From all eternity. And by a long
Analogy of wisdom, I was left

To argue deeper mysteries than these,
To see in the perspective, half revealed,

The permanence and dignity of mind.
The subtle thoughts that ramified in brains

Long since dry dust:—the foliage of the
heart

Waved o'er forgotten paths:—the healing
fruit

From nameless virtues ripened:—the black
juice

Of secret influences, poisoning acts
Which with the actors slumber in the depths

Of unrecorded history:—all were there,
Stamped on the strata of remembrance,

thence
To be upheaved in plenitude of time

Into the light, and spread before our eyes
As witnesses. I dimly saw the spring

Of all that's done from all that has been
done:—

And the significance of every deed,
To prove, illustrate, and account for man.

Of such I caught a glimpse—obscure but
vast,

Like the far outline of an Alpine range
Sublime against the heaven. I learned

that Love—
Love as it is in God—as it is God—

Resolves the mighty problem of the world—
And there was more—much more than I

can speak,
Within the rapture of that whisper—

* * * * *

Fain
Would I have dwelt in that delicious land

For ever:—but my hour was not yet come—
My life was due to life. And so I dropped

Down to the earth again—to meditate.

The Rev. Mr. Brooke should be a poet by birth, if genius were transmittible by inheritance, as he is a descendant of one who was, in his day, a distinguished poet—the author of *Gustavus Vasa*. But Mr. Brooke should remember that poetry loses its god-like character when it seeks for meretricious aid from subjects of a painful or disgusting nature. Delirium Tremens is not a pleasing subject for a poem, yet Mr. Brooke has adopted it. Scarlet Fever is not a very poetical theme, but Mr. Brooke has selected the disease as the subject of some verses, in which the following appear :—

"Alas, alas, thy words are true."

She sat upheaved upon a pillow,
Her face all flushed with scarlet hue,
Her chest wild heaving, like a billow—
Fainting, yet fighting hard for breath,
In sinking Nature's strife with death.

The black blood trickled from her lips;

From side to side her head she cast,
While o'er her glassy eyes' eclipse
The thick brown films were gathering fast.
Oh, what a weight of dire distress
Wrought fearfully on that young face!

Mr. Brooke calls his book, *Poems Illustrative of Grace, Creation, Suffering*; but does he think it poetical to turn into rhyme *Cooper's Surgical Dictionary*, or to versify *The Physician's Vade Mecum*? That he is possessed of poetic ability is clear, and if he were to confine himself to subjects of a legitimately poetical character, we doubt not his ability would be generally acknowledged. His power of versification is sweet and musical, and, as a specimen of his style, we insert the following lines :—

THE DEATH-BED OF JACOB BEHMEN.

When within the walls of Gorlitz the Teutonic Mystic lay,
Circled by his weeping dear ones, watching till he passed away;
When, with coming death contending, the reluctant flame of life,
Leaping in its silver socket, scarce maintained the dubious strife:

It was day-break, and the crimson of the purple skies had come,
Like a spirit, through the lattice, flushing all the sick man's room,
Lighting up his fixing features, calm as marble sculpture-wrought,
With something like the lofty life of former tone and thought.

Broader, brighter broke the morning, and the crimson hues are gone,
And blazing all with gems and gold, upheaves God's glorious sun.
Was it this that stayed the life-tides, as they slowly ebbed away?
Was it this that checked the spirit, ere it soared to endless day?

Up spake the dying man, and said, "Ope the door, that I may hear
That soft music which is ringing wild and sweet within my ear;
Heard you not that strain excelling?—blessed sound, it sinks and falls:
Oh Lord, it is thy thrilling voice that for my spirit calls.

"Oh, strength of love—oh, life of death—my God, above this hour
Lift me. Oh, Christ, the waves are strong, but stronger is thy power."
Then to the wall he turned his face—"I am going hence," he cried,
"To Paradise, to meet my Lord;" and softly thus he died.

And was it not a marvel strange, in such an hour to see,
How God did loose his servant's mind from its life-long fantasy?—
How one like him, so overwrought, who had leaped beyond all rules,
To plunge in depths untrod alike by sages and by fools,

Rapt in the sainted Sabbath, trod the centre and the ground
 Of man's nature, shadowed over with a mystery profound—
 Felt the touch of God the Saviour, in seven days' shadow dim,
 Saw the Spirit with his lamps—held his peace, and worshipped Him ?

To think that such a mind and man, on this, his dying day,
 Like a river issuing bright and swift from weeds that clogged its way,
 Heard but the heavenly shepherd's voice, as the shadowy vale he trod,
 Then laid him down, like some dear child, and slept to wake with God.

These are the only poetical publications issued lately from the Dublin Press, to which we can at present refer. In future papers we shall resume this subject, and, under their proper heading, and more particular arrangement of style of composition, refer to the poems of the De Veres, of Lover, of *De Jean*, and of Davis, *The Belfast Man*.

We have, indeed, in this paper, dwelt rather upon the position of our resident litterateurs than upon the merits or demerits, critically considered, of the authors. We have pointed out the faults of Irish literary life; we have indicated the causes which conduce to make literature here a trade, rather than a profession; where he who possesses, or fancies that he possesses, talents, uses these talents as a chaffering peddler displays his wares to a country wench, putting upon them, not the true rate of an open market, but the tricky price which can be obtained where pretence passes for reality, and where impudence assumes for vulgar presumption a value which belongs only to open, confessed, and genuine merit. Therefore it is, that men of no ability become, to the Dublin public, men of ability; and men of ability become men of great genius; and thus the whole system of quackery and puffery produces its fledglings of Parnassus, whilst all is literary envy, literary detraction, and literary snobbishness. No man receives his real and deserved praise or censure,—he is puffed by his friends and decried by his opponents,—this, alas! is the position of Irish literature, and the merit, or demerit, of our poets, from the specimens we have inserted—we leave to the judgment of our readers.

The scientific and medical professions are doing man's work in our country. Within the past eight months two most ably and cleverly conducted journals have issued from the Dublin Press, and in *The Monthly Journal of Industrial Progress*, in *The Dublin Hospital Gazette*, with their learned and zealous supporters, we believe full evidence is furnished that at length dilettanteism in these walks of life is exploded, that Irish learning can find field for its display at home, and need not fly to England or Scotland to make itself known; possibly from this effort upon the part of scientific Irish-

men may arise a spirit which will extend its influence to those of their fellow countrymen whose genius, or whose bent of mind is merely literary, and thus all may learn, what some men know, that to be the chief genius of a clique, or of a section, is to be as unlike a man of true genius, as "a wit amongst lords," is unlike "a lord amongst wits."

ART. II.—JOHN BANIM.

PART. I.

INTRODUCTION. BIRTH. SCHOOL DAYS. YOUTH.

FIRST LOVE.

In reading the biographies of literary men he, who observes the results of their life labors, but too frequently closes the pages describing the final scene of all, impressed by the sad truth that genius is a glowing complexion of the mind, and, like to that of the radiant-hued cheek, is only a "fatal gift of beauty," "betokening a dower unto the tomb." Genius, from the first, has toiled in want, in pain, in sorrow. Genius has had its Martyrs too, and, standing in Poets' Corner, we can fancy that there float around us the dim, sad, spectres of Churchyard proclaiming that

"Poverty and Poetry his tomb doth enclose"—
of Nash lamenting, with a wild fierceness—

"Why is't damnation to despair and die
When life is my true happiness' disease"—

of Chatterton, daring starvation so bravely despite its gnawing pangs—of Otway choked by the beggar's crust, devoured too ravenously—of Goldsmith living on pennies—of great, noble, Samuel Johnson wearing out his bright years in poverty, but a man in all—of Kirke White, poor murdered child of song and sorrow—of John Keats, by his solitary hearth, a gloom-rapt soul, to whom

"—The bare heath of life presents no bloom—"

of Gerald Griffin, so worn and wan before his time, starving by day, and awakened at night, by the dread pulsation of his

throbbing heart, to sigh lest day and its toil had come once more,—and, most woful of all, Sir Walter and Southey, so good and true in all that makes the nobility of christian manhood, so bright in intellect, and so dauntless in labor once, but so crushed and broken at the close of life,—come before us, all teaching great truths in the moral of their lives—and proving too, that old Burton judged rightly when, in *The Anatomy of Melancholy*, he quaintly wrote, that the Destinies of old “put poverty upon Mercury as a punishment, since when, poetry and beggary are Gemini, twin-born brats, inseparable companions. Mercury can help them to knowledge, but not to money.”

It is true that genius has often been its own doomster. Debauchery and improvidence have, alas! been lures to lead the grandest souls to ruin; and fancies which, in the dawn of fame blazed bright in beauty, have set in black clouds of gross and earthy passion. But there are other sufferers who have perished in the contest with the world, and who, in mental anguish, and in bodily pain, attempted to accomplish the great deeds of which in youth they dreamed those dreams that come only in the days when

“—All we met was fair and good,
And all was good that time could bring,
And all the secret of the spring
Moved in the chambers of the blood.”

These are the real Martyrs of genius who, commencing life in strength and hope—with that hope whose rosy light tints every rugged pathway in the far off steeps that must be passed ere the gorgeous dream-land of golden fame can be reached; commencing life too, with that power which ever dwells in the deep heart of youth, making to-day but the training ground for a future, when, amongst the clashing of minds, in the jarring struggle the world, triumph shall crown him a victor,—hope on for ever.

Such a man as this was John Banim: a bright-hearted, true-souled Irishman. He began his way of toil in trusting daring,—side by side with a loving unchanging wife, he would try the power of his mind, the readiness of his intellect, and the versatility of his genius; and had Omniscient Wisdom spared him health, as fully as it bestowed upon him energy of soul, and each ability of mind, he would have been the Scott of Ireland. But all his life long he labored amidst the frowns of Fortune or the tortures of disease. He wrote in the intervals of anguish, frequently too, during its paroxysms, and closed his life a mind-wreck,

drifting away upon the lone black sea of pain and sorrow. But herein it is that his life deserves a record: its home love, its beautiful affection for her whom the Germans so thoughtfully call The House Mother; his never-flagging hope; his patient endurance; his triumphs; his efforts after excellence as a novelist, form many important teachings for him who would enter the world a candidate for literary fame.

Banim was, in heart and soul, a man; and in toiling onward in his self-chosen profession, amidst all his griefs he was ever a hero, disdaining to be, while the soul of a man dwelt in manhood's frame—

“An infant crying in the night:
An infant crying for the light:
And with no language but a cry.”—

Work, was his motto, and of the great psalm of life he made the anthem

LABORARE EST ORARE.

Like Southey, he was always hoping, and always working,—and the glory of his toil was not in the present work, but in that which should be accomplished in future times: like Scott, he loved the humorous side of things, and when not in heroics was most at ease. His letters are more hearty than those of Moore; and the self-reliant independence of one who would be successful by his own efforts, is plain and evident in all his communications with the household at home. From the first letter to the last, now before us, these feelings are fully expressed; and much as we have read, much as we know, of literary men and their habits,—we believe that of those who are the supports of the periodical Press, there is no man whom a Christian, a gentleman, or a brother litterateur would prefer to have called Friend, before John Banim.

In the year 1792 there resided in the city of Kilkenny a young, hard-working man, named Michael Banim. A natural love of out-door exercise and field sports had sprung up in his breast, and had been strengthened by all the influences that extend to young men who reside in a county, even less remarkable for the sporting habits of its gentry, than of those exhibited by the members of the once famous Kilkenny Hunt. Michael Banim united pleasure with business, pushing his way in the world as a trader in all the necessities of a sportsman's and angler's outfit,—dealing in everything from a

fowling piece of John Rigby's to one of Martin Kelly's fishing rods. He was a farmer too, and kept a pair of well bred horses.

From the days when *Venator*, in *The Complete Angler*, kissed the pretty milkmaid, who sang so sweetly,—(one could wish, with Sir Thomas Overbury—"that she may die in the spring, and, being dead, may have good store of flowers stuck round about her winding sheet"—)and for which the grave *Piscator* reproves him, with a, "Come, scholar! let Maudlin alone: do not you offer to spoil her voice," to the time when young *Squire Thornhill* stole away the heart of poor *Olivia Primrose*, sportsmen have been the victims of bright eyes, and have made fond husbands too, notwithstanding the calumny of the jilted lover in *Locksley Hall*, who declares of his sporting rival—

"He will hold thee, when his passion shall have spent its novel force,

Something better than his dog, a little dearer than his horse":—and so Michael Banim fell beneath the power of the god who "rules the Camp, the Court, the Grove," and was married, in the year 1792, to Joannah Carroll.

She was of honest, respectable parentage, and of her character, and personal appearance, her eldest son, Michael, has given, in describing *Rose Brady*, the heroine of *The Ghost Hunter and His Family*, the following sketch:—

"She could not be called beautiful, for her nose was neither Roman nor Grecian; nay, as we wish to speak candidly in all cases, we must confess that it was rather broad at the base, and perhaps about the sixteenth of an inch too wide. But then her lips were cherry-red, and beautifully formed; her forehead was as smooth as polished ivory; her cheeks were round and peachy, and, in colour, 'like to the Catherine pear, the side that's next the sun:' her chin was full, marbly, and a little dimpled; and as for teeth, Rose might be excused for unnecessarily displaying them, had she had the vanity to do so. The eye is the gem of the countenance; and Rose could boast two dark hazel ones, beaming with good nature, or with affection, full of sense and intellect, and sometimes shooting forth a sly humour. She was not tall, but her figure was nicely moulded. Richardson, while enumerating the perfections of his Clarissa, (poor, poor Clarissa!) relates that her attire always bore the gloss of newness. We claim the same praise for our humble little heroine, and we add that whatever she wore, seemed of the exact colour, kind, and pattern, which became her best.

"She was as cheerfully industrious as a bee in the garden. Almost from her childhood she had been accustomed to earn something for herself, and by assiduity and prudence in her occupations, she was enabled not only to contribute to the comforts of the family, but to 'put money in her purse:' and that purse, a capacious one of gold-flowered silk, lay in a deep corner of the chest in her bedroom, and into it guinea after guinea found their way, until Rose had laid up her own dower."*

She possessed a mind of very superior order, and a store of good sense, and womanly, wifely patience; and these, with health and trust in Heaven, were her only marriage portion.

Michael Banim was a man of hasty temper, but with a fund of deep and genuine feeling at heart; and here his wife's gentle affection was the quiet soother of all care; and soon he was a man well to do in the world; respected by his superiors in rank, and, best test of all, of one's real worth, respected by his neighbours and by his equals.

In August, 1796, there was born to him a son, named Michael, who is still living, and whom, in the course of this biography, we shall have frequent occasion to mention. His second son, John Banim, was born on the third day of April, 1798.

John grew up a plain looking child, with great staring eyes; and his only characteristic was a kind, loving disposition, which endeared him to all the humble household. He was petted by his mother, and her kindness, in conjunction with his own love of those about him, rendered his early years but one united train of childish joys.

His mother, as we have stated, petted, and, as a matter of course, indulged him; the best place at table, and the nicest dainties of the dinner, even in mere childhood, were his; and although Mrs. Banim did not spoil her boy so excessively as did Quick, the actor, his little girl, who, because she wished to dabble her feet in the gravy of a saddle of mutton, was permitted to sit astride upon the joint, yet little John Banim merely escaped the socially atrocious character of an *enfant terrible*.

His father was a man of some information, for his position and time; his mother was a woman of good mental powers, increased and strengthened by a love for reading. Thus both the parents of the future novelist were capable of understanding and appreciating the advantages of education, and in

* See "The Ghost Hunter and His Family," p. 34.

his fourth year their son John was sent to a school kept by Mrs. Alice Moore, where it was possible to learn the *Horn Book*, and some fair share of the rudiments of reading,—provided the words were not too long, and were those in ordinary use.

Here, however, John did not continue a scholar. Like the more famous Academy and Lyceum, Alice Moore's school was held upon the ground floor, and this circumstance so much excited the indignation of little Banim, that he rushed to his home from the cottage seminary, after an hour's tuition, declaring to his mother that he could not stay in a school where "there wasn't a bit of paper on the walls, or a step of stairs in the house." Mrs. Banim thought this outburst but the childish indication of an aspiring mind, and did not force her little boy to return, but sent him to the school of a Miss Lamb, who appears to have taught him the very merest branches of learning. She was, like many other school mistresses, good-humored, quiet, and fat—women who are supported by parents simply because they act as a species of upper nurses, keeping the children from harm and home. With Miss Lamb, John remained until he could, as she used afterwards to boast, "turn the *Primer*."

In his fifth year he was removed from Miss Lamb's to a school at that period well known in Kilkenny and its vicinity, as "The English Academy, Kilkenny." Its master, Mr. George Charles Buchanan, was an oddity; and if ever man, lived, for whom the apology offered by Sir Walter for one of his characters should be freely admitted as a plea in bar of all deprecation, George Charles Buchanan could claim its fullest benefit, for truly "the man was mortal, and was born a schoolmaster."

Banim was, as we have observed, adoringly fond of his mother. With a child's love he ever feared to lose her, and about the period of his entrance into Mr. Buchanan's school his chief grief was, lest a notorious highway man of the time, named "Farrel the Robber," should steal away his mother whilst he was absent. This phantom haunted all his hours of play; and if for a time he forgot his mother's fancied danger, upon recollecting the fact, he deserted his playmates, and ran to the house to assure himself of her presence and safety. She, in her turn, used to watch for him, and as the eager little face was pressed to the window, she smiled upon it those smiles which gave a balm to many a sorrow in after years.

A young, warm soul like this could not confine itself to one object of affection ; and John's love for his elder brother, Michael, was, even in these years, tender and devoted. The second day after John's introduction to Mr. Buchanan's establishment, Michael was placed upon his knees in the centre of the school-room, in punishment for some fault. John enquired the reason, and finding that it was but the preliminary to a more severe punishment, rushed to his brother's side, and threw his arms around the offender's neck. The master ordered him to his seat—he but clung the closer ; and threats were unavailing to induce him to abandon the culprit. Bribes were tried :—five shillings were offered, he was unpurchasable—two crown pieces, bright and shining, were clinked before him, but all was unavailing ; and at length, as the reward of his consistent affection, his brother was forgiven, John led him in triumph to his place, and having seen him safely seated, burst, for the first time that day, into tears.

Michael Banim, the father, was, as we have written, a man of strong and violent temper. He punished his children at one time for trifles ; at another he permitted more serious offences to pass unproved, being ever guided by the feeling of the moment, which was excited by various circumstances unconnected with the particular fault before him. Mrs. Banim rarely punished : yet a reproving word from her lips was more dreaded by her children than blows and violent threats from the hand and tongue of their father. Indeed so great a feeling of terror did his mother's anger excite in the mind of John, that once, when he had watched her through a keyhole, flog his brother for some offence with a whip which he had frequently seen his father use for a like purpose, he became so much terrified at the unusual occurrence, that he ran to the barrack gate, and entreated the sentry to come and save his brother, whom his mother was about to murder.

These are but the traits of childhood, which friends treasure up in memory, to make a story for the winter fire-side ; and yet they show the spirit of a future man, who, in years of well won, honorably worn reputation, look back to those days of childish griefs and joys, with swelling heart, because they were the days of home and love.

Mr. Buchanan's academy was not exactly suited to a boy of Banim's disposition. The master was a clever man, but

professed to teach all subjects, commencing with what he called "oratorical reading," and ending with the modern languages. He was an excellent instructor for a more advanced pupil, and of himself and his school, *The O'Hara Family* have given the following graphic account, in the first volume of the novel, *Father Connell*.

"Through the partition separating his bedchamber from the school-room the head of the seminary had bored a good many holes, nearly an inch in diameter, some straight forward, some slantingly, to enable himself to peer into every corner of the study, before entering it each morning; and this is to be kept in mind. At either end of the long apartment was a large square window, framed with stone, and, indeed, stone also in its principal divisions. Over head ran enormous beams of old oak, and in the spaces between them were monotonous flights, all in a row, and equally distant from each other, of monotonous angels, in stucco—the usual children's heads, with goose wings shooting from under their ears; and sometimes one or two of these angels became fallen angels, flapping down, on clipt wings, either upon the middle of the floor or else upon the boys' heads, as they sat to their desks, and confusing them and their books, and slates with fragments of stucco and mortar, rotten laths, and rusty nails. In a kind of recess, on the side of the school-room opposite to the boys' double desks, was an old table, flanked by a form, at which, at certain hours of the day, sat some half dozen young girls, from six to ten years, who came up from the quaint old parlour below, under the care of the master's daughter, who therein superintended their education in inferior matters, to be occasionally delivered into his hands for more excelling instruction. The principal of this celebrated seminary wrote himself down in full, and in a precise round hand, James Charles Buchmahon; and his establishment as 'the English Academy:'—principal, we have called him—despotic monarch we should have called him; for he never had had more than one assistant, and the head of that one he broke before they had been many weeks together. And never were absolute monarchy, and deep searching scrutiny, more distinctly stamped and carved on any countenance, than upon that of James Charles Buchmahon, master of the English Academy. And that countenance was long and of a soiled sallow colour; and the puckering of his brows and eye-lids awful; and the unblinking steadiness of his blueish grey eyes insufferable; and the cold

blooded resoluteness of his marbly lips unrelaxable. At the time we speak of him, James Charles Buchmahon might have been between fifty and sixty, but he wore well. He was tall, with a good figure and remarkably well turned limbs, 'and he had the gift to know it,' for in order not to hide a point of the beauty of those limbs from the world, he always arrayed them in very tight fitting pantaloons, which reached down to his ankles. His coat and waistcoat were invariably black. A very small white muslin cravat, and a frill sticking out quite straight from his breast, occupied the space from his chin to his waist. And James Charles Buchmahon's hat was of cream colour beaver, high crowned, and broad brimmed : and he ever carried either a formidable walking stick of stout oak, or else a substitute for it, made of five or six peeled switches, cunningly twisted together, and at one end loaded with lead."*

From this establishment, after an attendance of five years, Banim was removed to a seminary kept by the Rev. Mr. Magrath, at that period considered the best Roman Catholic school in Ireland ; he continued a pupil of Mr. Magrath's for about twelve months, and was then sent to the academy of a well known teacher, named Terence Doyle.

Although not a very idle boy, Banim loved to study in his own way, and at his own time ; and his chiefest pleasure was to steal away from school, and lying under a hedge, or beneath the shelter of a haycock, to pore over some prized volume of "romance or fairy fable." Hans Andersen, in all his dreamy youth, never longed to hear the lore of fairy land more earnestly than did little John Banim, and his ready memory enabled him to retain the subject of each narrative of wonder. From admiration, however, the future novelist soon aspired to imitation, and, in his sixth year, having listened in silent delight to a fairy fiction of more than usual interest, he resolved to write a story, his own sole composition.

He was not sufficiently tall to write conveniently at a table, even when seated, and having placed the paper upon his bedroom floor, he lay down beside it and commenced the construction of his plot. During three months he devoted nearly all his hours of play to the completion of his task, and when at length he had concluded, the writing was so execrable that he alone could decipher it. In this dilemma he obtained the assistance of his brother Michael, and of a schoolfellow—they acted as aman-

* See "Father Connell," Vol. I. p. 252.

uenses, relieving each other, when weary of writing from John's dictation. When the tale was fully transcribed it was stitched in a blue cover, and John determined that it should be printed. But here the important question of expense arose to mind, and after long deliberation the youthful author thought of resorting to a subscription publication. Accordingly the manuscript was shown to several of his father's friends, and in the course of a week the subscribers amounted to thirty, at a payment of one shilling each. Disappointment was again the lot of our little genius ; for in all Kilkenny he could not induce a printer to undertake the issuing of his story. This was a heavy blow to his hopes ; but, honorable, even as a child, he no sooner found that he could not publish the tale than he waited upon his subscribers for the purpose of restoring to them their shillings. All received him kindly, and refused the money, telling him that they were quite satisfied with reading the manuscript.

His literary efforts did not end with his fairy story. We have seen a romance in two thick manuscript volumes, written in his tenth year ; and have looked through several manuscript poems, particularly one extending to over a thousand lines, entitled *Hibernia*, written about the same period.

This early authorship is not unusual amongst those who have afterwards distinguished themselves in literature, as most students of literary history are aware. Cato and Hobbes, Bacon and Descartes, Boyle and Alfieri, Cowley and Pope, with a hundred others, were, in childhood as in manhood, philosophers, or poets, or painters. Like these last, Banim longed to be a poet, even in early days ; and amid his stolen rambles in the summer fields felt all that joy in Nature, that Pantheism of poetry, which Byron so nobly expressed, when he makes the boy Tasso cry :—

“ ———From my very birth

My soul was drunk with love, which did pervade

And mingle with whate'er I saw on earth ;

Of objects all inanimate I made

Idols, and out of wild and lonely flowers

And rocks whereby they grew, a paradise,

Where I did lay me down within the shade

Of waving trees, and dreamed uncounted hours,

Though I was chid for wandering.”

The poetic faculty, indeed, appears generally to have developed

itself in early life, and whilst Tasso, Ariosto, and Lope de Vega were, even in school days, poets, or romance writers, Boccaccio tells us, and the analogy of his case with that of Banim is striking—"Before seven years of age, when as yet I had met with no stories, was without a master, and hardly knew my letters, I had a natural talent for fiction, and produced some little tales."

But neither in the biography of Boccaccio, nor of any other man of genius, can we discover efforts so ardent and persevering, to secure self-improvement, as those exhibited, even in childhood, by Banim. Whilst in his ninth year he began a strange Birth-day observance. About a week before his Birth-day he commenced the arrangement and perusal of all the verses, and pieces in prose, composed during the preceding year; when all had been read, and duly criticised, he generally found that one set was puerile,—he himself being but a child,—another set was turgid—a third portion was dull,—a fourth lot was forced or unnatural, and the boy Banim was as fastidious in self-criticism as, in grave manhood, were Gibbon, Buffon, or Campbell. The evening of the Birth-day having arrived, the condemned manuscripts were gathered in a pile, to which a lighted match was applied, and, as the blaze mounted high, the little author danced, gleefully, around the holocaust.

He felt no regret in thus destroying his compositions. He was resolved that the productions of his intellect in the succeeding year should be superior to those of the past, and fancied that the pieces condemned to the flames would but disgrace the more finished efforts of the months to come.

Banim, from early youth, had all that adoration of Poetry which is the characteristic of genius; and his love for

"—The pleasing cadence of a line,
Struck by the concert of the sacred nine,"

was only equalled by his admiration of a Poet. A good example of his self estimate, and of this poetic feeling, was exhibited in his tenth year. The Private Theatre of Kilkenny was then open, and Banim was admitted to witness one of the performances. He was delighted with all he saw. Everything around was so unusual: the audience all in full dress, a brilliantly lighted house, the glittering costume of the actors,

the beauty of the scenery, all rendered the spot a fairy realm for the child-poet.*

He did not, however, attend so much for the purpose of seeing the play, as for that of observing his idol, Thomas Moore, who was one of the performers. He was then in the first glory of his success, and formed the theme of general conversation. On the occasion of Banim's visit to the theatre Moore recited his own *Monologue on National Music*. It was encored, and Banim was the loudest of those demanding the repetition. The beauty of the poetry struck the fancy of the child, and so profound was the impression created by it upon his memory, that he, the following morning, repeated the entire with almost perfect accuracy, and with the gestures, and inflections employed by Moore in its delivery. After having breakfasted he was observed to dress himself in his best clothes, and the family saw him leave the shop, and, with a roll of papers under his arm, walk towards the house in which Moore lodged: he was about to introduce himself to Moore as a brother poet, and the roll of papers was the manuscript verses by which he meant to prove his right to the "honorable name." Moore, remembering probably the trembling anxiety with which he had, in his fourteenth year, sent "the attempts of a youthful muse" to the editor of *The Anthologia Ilibernica*, and the "honor and glory" which he enjoyed when he found himself, shortly afterwards, called "our esteemed correspondent T.M.,"† received his odd little visitor kindly. He read a few of the verses, enquired as to his progress at school, advised him to be attentive and diligent, and closed the interview by asking, if there was anything he could do to oblige "his brother poet." To be called his "brother poet" was quite sufficient for Banim; but the offer of obliging him was too flattering to be slighted, so, after some consideration, he told the good-natured bard that there was nothing in the world he should like so much as a season ticket to the Private Theatre, where he could see Mr. Moore on the nights of performance. This request was at once granted, and, for the remainder of the theatrical season, little John Banim was happy as his heart could desire,—the same ticket which opened the theatre to him was, he considered,

*For a detailed account of the Kilkenny Private Theatricals, see *IRISH QUARTERLY REVIEW*, Vol. III. No. 9. pp. 89 to 100. "Art. Charles Kendal Bushe."

† See Moore's "Journal and Correspondence," Vol. I. p. 22; and see *IRISH QUARTERLY REVIEW*, Vol. II. No 6. p. 385.

a tribute to his poetic ability. And how the boy's soul would have swelled could he then have known that but twenty-two years later his own fame would be so fully acknowledged that this same great poet whom he was now so anxious to please, would, when in Kilkenny, call upon old Michael Banim, and, finding that he was from home, write, as a card, and leave for the old man, these words—"Mr. Thomas Moore called to pay his respects to the father of the author of *The O'Hara Family*."*

Literary pursuits, however, were not the only ones by which Banim's attention was engaged: he frequently devoted his play hours to mechanical inventions. He formed a complicated machine which was to realize that dream of philosophy—perpetual motion. Having read *Rasselas*, he fancied that the philosopher of the happy valley must have been a very unskilful artificer. He, accordingly, of wicker-work and brown paper, formed three pairs of wings, and fastened one wing to each wrist of his brother, and of his younger sister; having mounted with his two companions upon a manure heap, he fastened the remaining pair of wings to his own wrists, and all three, jumping from their eminence, found themselves, in place of soaring to the clouds, deposited in the "verdant mud" which formed their lake. His next attempt was the construction of sky rockets, intended to mount to a most extraordinary height, but which only blazed along the ground, burning the pyrotechnist, and almost destroying the house.

This last exploit developed a very remarkable trait in his character. His father was so much offended by the danger to which the family, and the building, had been exposed, that in one of his out-breaks of passion he ordered the child to leave the house, and seek his fortune in the world. John took his cap, and went forth:— it was a winter night, dark and cold, with a roaring wind abroad. Away the boy went; Mrs. Banim was silent, knowing that remonstrance could conduce to no end, save that of increasing her husband's anger, and even he seemed anxious, but was too passionate to recall the offender. A quarter of an hour elapsed, and a sturdy knock was heard at the door; it was opened, and John re-appeared. He approached his father, and taking off his cap said, "As I am to go, I'll thank you, sir, for the six-pence I lent you the other day;"—

* See Moore's "Journal and Correspondence," Vol. VI. p. 136.

this was the last remaining six-pence of the thirty shillings subscribed for the unprinted fairy tale, and with it he was as willing, though a child, to commence his way in the world, with as bold a heart, as self reliant a confidence, as when, in later years he went forth with his young wife to venture upon the troubled tide of literature. The six-pence was repaid him, but, in addition, a second was given, and he was ordered to bed, his father having forgotten all his anger in the surprise of the moment.

These were Banim's characteristics, and these are the histories of his life, in early school days.

When he had continued for about twelve months at Mr. Doyle's academy, he was removed, in his thirteenth year, to that seminary which can show upon its register the names of many men illustrious in literature—Kilkenny College. Of this College Banim has left us the following account, in his tale, *The Fetches*.—

"Kilkenny College was the most famous as well as the most ancient preparatory school of Ireland. It commenced as an appendage to the magnificent cathedral of Saint Canice, for the preservation of which, after Cromwell's spoliation, we are indebted to the classic Pococke, and was then situated, according to Stanihurst, 'in the weste of the church-yard' of that edifice, and had for its founder Pierce or Peter Butler, Earl of Ormond and Ossory. And 'out of this schoole,' continues Stanihurst, 'have sprouted such proper impes, through the painful diligence, and laboursome industrie of that famous lettered man, Mr. Peter White, as generally the whole weale publicke of Ireland, and especially the southern parts of that island, are greatly thereby furthered.' We have a sure clue to the date of its first erection, by the same writer mentioning that fact as 'of late;' and also by his proceeding to inform us that (under Mr. Peter White, the original master) 'it was my happie hap (God and my parents be thanked) to have been one of his crue; and I take it to stande with my dutie, sith I may not stretch mine abilitie in requiting his good turns, yet to manifest my good will in remembering his pains. And certes I will acknowledge myself so much bound, and beholden to him and his, as for his sake, I reverence the meanest stone cemented in the walls of that famous schoole.' In 1684, the first Duke of Ormond, then Lord Lieutenant of Ireland, granted a new charter to Kilkenny college, vesting in himself and his heirs male the appointment of masters, and the office and dignity of patrons and governors

of the establishment. The statutes passed by him on this occasion, no less than twenty-five in number, are each of formidable length, regulating every thing, from the master's morals, religion, and salary, to the punishment to be inflicted upon an urchin for 'cutting or defacing the desks or forms, walls or windows of the school.' Under this new arrangement the college also changed its situation from 'the weste of the church-yard' of Saint Canice, to a large building at the other extremity of the town of Kilkenny, which together with a fine park, and the rectories and tithes of several parishes, near and distant, the patron granted, in trust, for its uses and advantage. But during the short and inauspicious Irish reign of James II., that soon after ensued, this endowment was frustrated. The first master, appointed by the Duke of Ormond, fled on account of his politics; and 'King James,' says Harris, 'by a charter dated the 21st of February, 1689, upon the ruins of this school, erected and endowed a royal college; consisting of a rector; eight professors, and two scholars in the name of more; to be called the Royal College of St. Canice, Kilkenny, of the foundation of King James:' and then followed 'Articles conclus du consentement unanime des regents des ecoles de Kilkenny, sous le protection de l'illustrissime et reverendissime l'evesque d'Ossory,' as curious, at least, as the state laws previously passed for the same establishment under hand and seal of the representative of majesty. William triumphed however, James sought the retirement of Saint Germain's, Ireland once more rested beneath the reflux of protestantism, and Kilkenny College, in common with every other public institution, reassumed its protestant charter and arrangement, and to this day continues to enjoy both, with, we should perhaps mention, only one difference from the whole economy proposed by the first Duke of Ormond; and that is, remarkably enough, a lapse of the right of presentation to the school by the Ormond family, in consequence of the attainder of the Duke in 1715, and the vesture of said right in the provost and fellows of Trinity, Dublin. It has been seen that Stanihurst was a 'proper imp' of the old establishment; Harris, by his own acknowledgment too, was also educated in Kilkenny college, under the first master nominated by the Duke of Ormond; as also were, subsequently, Thomas Prior, George Berkeley, Bishop of Cloyne, and other celebrated characters, among whom, if our recollection does not fail us, we believe we may rank Swift. In fact, it was after its return

to the hands of protestant masters and governors that this seminary rose to the height of its fame, and that young Irish noblemen and gentlemen crowded its classes for the most approved preparation for university honours. It might be called the then Eton of the sister country. We find it necessary to observe that the building to which the title 'College of Kilkenny' now applies, is not the same endowed by the Duke of Ormond. The Irish tourist is at present shewn, from an opposite bank of the Nore, a large, square, modern house, three stories high, dashed or plastered, and flaunting with gay and ample windows, and this, he is informed, is the college. Turning its back, in suitable abstraction, upon the hum and bustle of the small though populous city, it faces towards the green country, an extensive lawn spreading before it, and the placid river running hard-by, and is, altogether, appropriately and beautifully situated. But the original edifice, that existed at the time of our story, was pushed farther back, faced into the street of the town, and was a gray, reverend pile of irregular and rather straggling design, or, we should perhaps say, of no design at all; having, partly, a monastic physiognomy, and partly that of a dwelling-house, and bearing, to its present gay successor, about the same likeness that the levee skirts of Ann's time bear to the smart swallow-tail of the last summer but one. We surmise that, at a more remote period, it belonged to the old and beautiful Augustinian Abbey of St. John, of which the main building was not more than three hundred yards distant, and which was richly endowed 'for the salvation of his soul and those of his predecessors and successors' (as Ledwich abstracts its charter) by William Marshall the elder, Earl of Pembroke, in 1220. The entrance to the school-room was immediately from the street, through huge oak folding doors, arching at top to suit the arched stone door-way, and gained by two grand flights of steps at each side, that formed a spacious platform before the entrance, and allowed under them a passage by which visitors approached the college. To the left was another gateway where carriages had egress. The whole front of the building was of cut stone, with gothic windows composed of numerous small panes of glass, separately leaded, and each of diamond form; giving the appearance of a side or back rather than of a front, on account of its grotesque gables, chimneys, and spouts, the last of which jetted into the street, to the no small annoyance in rainy weather of the neighbours and the passengers; while

from the platform before the school-room entrance, the lads of the college contrived, in all weathers, further annoyances of every description. But in the past, as well as the present time, the lawn of the college was devoted to the exercise and sports of the students, and had, for its left-hand boundary, 'the dark walk,' a shrubbery so called to this day, though its appearance, and indeed identity, are changed, and for its right the crystal Nore, of which the opposite banks were flanked by a wall some forty feet high; and over this wall,—its foundations on a level with the top—towered in uncouth grandeur, amid throngs of luxuriant trees, the old family castle of the all but regal Ormonds. Close by the dark walk, at the left of the lawn, there ran, too, as there at present runs, an artificial, but deep, rapid and sufficiently broad stream, conjectured to have been an aqueduct formed by the old monks of St. John's Abbey, that while it discharged its immediate agency of setting in motion the water wheels of more than one grist-mill on its course, served, at the same time, to cut off the college grounds from the adjacent gardens of the poorer class of people who inhabited the near outlet."*

This was a school which one might feel proud to enter. Of its most famous pupils, the present master of the College, the Reverend John Browne, LL.D. names the following:

"The famous men who have received their education in this foundation have been most numerous. On this subject I may quote another passage from Stanihurst, who, in his historical work, *De Rebus in Hibernia Gestis Libri Quatuor*, p. 25, again gratefully blazons the achievements of his old master:—

'Hic ludum aperuit, nostra ætate, Petrus Whitus, cuius in totam Rempubicam summa constant merita. Ex illius enim schola, tamquam ex equo Troico, homines litteratissimi in reipublicæ lucem prodierunt. Quos ego hic Whiteos, quos Quemefordos, quos Walsheos, quos Wadingos, quos Dormeros, quos Shethos, quos Garueos, quos Butleros, quos Archeros, quos Strongos, quos Lombardos, excellentes ingenio & doctrina viros, commemorare potuissem, qui primis temporibus ætatis in eius disciplinam se tradiderant.' Amongst this array of names, comprising those of most of the old gentry of the Pale, many hold a distinguished place in the annals of literature and of the state,—Lombard, the historian and Roman Catholic Archbishop of Armagh; Wadding, the annalist; Dormer, the poet (author of 'the Decay of Ross,' in ballad-royal); Walsh, the translator of Cambrensis, and White, whose refutation of that author's statements regarding Ireland has lately been brought to light by the labours of the Rev. M. Kelly; Gerald Comerford, an eminent lawyer, Queen Elizabeth's Attorney for Connaught, and second Baron of the Irish

* See "Tales By The O'Hara Family," Vol. II. p. 135.

Exchequer ; Elias Shee, 'a gentleman of passing good wit, a pleasing conceited companion, full of mirth without gall, who wrote in English divers Sonnets;' Butler, who translated Corderius' 'Book of Phrases' in 1562 ; Archer the Jesuit, for whose actions the 'Pacata Hibernia' may be referred to ; and, not the least notable amongst these distinguished individuals, Stanihurst himself, who besides his celebrity as a man of letters, may also be mentioned as the uncle of Archbishop Ussher. Amongst the names entered on the Register of the School, as re-founded by the first Duke of Ormonde, I find those of Baldwin, afterwards Provost, and a benefactor of Trinity College, Dublin ; Bishop Berkeley, with regard to whom it is difficult to decide whether his fame as a man of letters, or as a Christian Philanthropist, stands highest ; his friend and correspondent, the patriot Pryor ; Armaker, Archdeacon of Armagh in 1690, and author of several works ; Congreve the dramatist ; and Harris the historian. As we draw nearer our own day, many a famous name also stands out proudly from the throng of less distinguished *alumni* of Kilkenny College—Harry Flood the orator of his day ; Yelverton Lord Avonmore, and Sir Hercules Langrishe, also luminaries of the Irish House of Commons ; Michael Cox, Archbishop of Cashel ; Hugh Carlton, Solicitor General ; and, though last not least, John Banim. Scions of the noble Houses of Desart, Inchiquin, Colooney, De Vesci, Waterford, Llandaff, Mornington, Lismore, Charlemont, Hawarden, Ashbrook, Rosse, Howth, Thomond, Clifden, Boyle, (ancestor to the Duke of Devonshire), Bandon, Shannon, &c., appear amongst the names entered on the Register ; in which also will be found frequent mention of the families of note and mark in this and the surrounding counties, viz, Cavanagh, Staples, Cuffe, Cosby, Penefather, Vandeleur, Wemys, Flood, Langrishe, Bryan, le Hunte, Butler, Cramer-Coghill, Wheeler, Izod, Barker, Greene, Warburton, St. George, &c. &c. Whilst amongst the names by some chance omitted therefrom, may be enumerated the far-famed Dean Swift, and Farquhar the dramatist, who are known to have received their education at Kilkenny College. Sir Richard Steele, the friend and compeer of Addison, whose father was private secretary to the Duke of Ormonde, it is likely also spent his early years at this school. The names now enumerated fully justify the remark of Banim, that it was after the restoration of its original charter 'this seminary rose to the height of its fame, and that young Irish noblemen and gentlemen crowded its classes for the most approved preparation for University honours. It might be called the then Eton of the sister country.' Dr Ledwich, in his History of Kilkenny, says of the institution—'This school has had a succession of eminent masters, has produced men of great learning, and is justly esteemed the first school for the education of youth in this kingdom.' The names of the masters since the Duke of Ormonde's foundation are as follow :—

1670. Edward Jones, D.D.	1776. Richard Pack, A.M.
1680. Henry Ryder, D.D.	1781. John Ellison, D.D.
1684. Edward Hinton, D.D.	1793. Antony Pack, D.D.
1702. William Andrews, D.D.	1810. Andrew O'Callaghan, A.M.
1714. Edward Lewis, A.M.	1820. William Baillie, LL.D.
1743. Thomas Hewetson, LL.D.	1842. John Browne, LL.D.

Amongst these, Dr. Edward Jones was afterwards made Bishop of Cloyne, and Dr. Ryder Bishop of Killaloe; but alas! 'tempora mutantur'—the masters are no longer made Bishops; our great men and our little men are not satisfied with education in Ireland, and the lamentable consequence, obvious to all, is an unlearned and mentally dwindled race, instead of the giants of those days when Ireland educated her own sons. The earlier portion of the Register, which I have caused to be transcribed for the library of the Society, commences with October, 1684, and ends with July 27th, 1688; after this occurs a *lucuna* of nearly three years, an omission which is explained by the heading prefixed to the next entries, viz.:—'The names of such as were admitted into His Grace the Duke of Ormond's Schoole at Kilkenny since the Warre ended in Ireland in the year 1691.' The first entry of this portion is dated January 20th, 1691-2, and the series is complete up to August 6th, 1716, from which date no entry occurs until the year 1743, from whence the Register is continued in regular series up to the present day. There are also some notices of the pupils who left the school for College, or to enter into various professions, &c., which are very curious; these entries commence with the date 1684, and end with the year 1704; since which period, with the exception of a few entries commencing 1743, this portion of the Register has been discontinued. We learn, on the authority of Ledwich, that there formerly existed, in Primate Marsh's Library, Dublin, a book of poems, intitled 'Sacri Lusus,' by the young gentlemen of the College of Kilkenny; which, I am sorry to say, is not now to be found there. I may also mention in conclusion, that I have heard from Mr. B. Scott, sen., of this city, an interesting anecdote connecting Dean Swift's name with Kilkenny College, which is as follows:—When the old College was pulled down, Dr. Ellison was master of the school. The oak timber-work was purchased by his (Mr. Scott's) uncle, the father of the late Mr. Martin Scott, of Kilkenny, who therewith erected his tenement in High-street. After the work was finished it came to Dr. Ellison's knowledge that the name of 'Jonathan Swift' existed carved in school-boy fashion, on some part of the woodwork. Anxious to obtain this treasure, Dr. Ellison obtained permission from Mr. Scott to pull down that part of the work in which the particular board had been used; but after considerable progress in the work of demolition, Mrs. Scott declared that she could no longer suffer the business of the establishment to be interrupted, and put a stop to the search. I understand that the timber work of the house erected at that period remains, the frontage only having been rebuilt within a few years back. If such prove to be the case, I will use every exertion towards the recovery of this interesting relic.*

At the period of Banim's entrance the Reverend Andrew O'Callaghan was master; he was a man of learning and

* See a most interesting paper entitled "Kilkenny College." By the Rev. John Browne, LL.D., in the "Transactions of the Kilkenny Archæological Society," for the year 1851. Vol. I. Part ii. p. 221,

ability, but our young poet disapproved of one portion of his system of instruction—the complaint was, that Mr. O'Callaghan preferred a strict, grammatical translation in prose, to the most flowing and spirited metrical version his pupil could produce.

Whilst at the Kilkenny College, Banim evinced a very remarkable talent for drawing and painting, and having selected the profession of an artist as that to which he wished to devote his life, he was, in the year 1813, removed from his last school, the College of Kilkenny, and sent to Dublin, where he became a pupil in the drawing academy of the Royal Dublin Society. He continued a pupil in this academy during the two succeeding years, and was a regular and industrious student; he had the honor to receive the highest prize, in the gift of the committee, for his drawings placed in the first exhibition held after his year of entrance.

During his two years of pupilage he lodged and boarded in Phibsborough, in the house of a Mr. Oliver Wheeler, an old friend of his father. Of Wheeler's habits, appearance, his household, and mode of life, Banim gave the following sketch, in *The Nowlans*, when describing the poor abode of John and Letty Nowlan :—

“The old man, who had some petty situation of thirty or forty pounds a year in some public office, was upwards of seventy- five years, tall, shrivelled, stooped in the neck, ill-set on his limbs, and with a peculiar drag of one leg, which, from certain reasons, and taken with other things, rendered him very disagreeable to John. He was obliged to be up every morning at seven, in order to reach his office, or place of occupation, by eight; and he might be heard creeping about the lower part of the house, making the parlour and kitchen fires, to save his daughter and niece so much trouble; cooking his own solitary breakfast, his fat wife lying in bed; and then cautiously shutting the hall door after him, as, rubbing his hands, he tried to bustle off in a brisk, youthful pace, to his important day's work. His voice could never be heard in the house: if ever a man of a house lived under petticoat law, it was he. The coarse, masculine, guttural tones of his spouse often rose indeed to some pitch; but his, never. In other respects, too, he showed utter pusillanimity of spirit. He would never appear to John, in answer to a summons for arranging any misunderstanding (and several there soon arose)

between him or poor Letty, and the daughter or niece : his wife always represented him ; and he would run to hide behind a door, or into the yard, if he heard John's foot on the stairs, during these domestic commotions ; nay, even when all was at peace, his habitual poverty of nerve urged him to shun a single rencontre with his lodger ; or, perhaps, he still dreaded to be called to account for any thing his wife or daughter had said ; and whenever he was caught by John in the passage, or the yard, his fidgets, as he lisped and mumbled, and continually tapped his chest with one hand, ever complaining of his asthma, called up sentiments of irresistible disgust. His sole attempts at manhood we have indicated, in describing the way he used to step out to his day's labour every morning. But rarer proofs of this still farcical and contemptible humour came under John's eye. As he and his ancient fellow-labourer before described (a contrast to him, by the way, being square-built, erect in his body, cross in his temper, and loud and independent in his tones,) used to fumble about in the yard of an evening, chopping or sawing sticks and rotten boards, and mending the little sheds with them, or for ever watering the roots of the sad laburnum tree, there was a would-be briskness in his every motion, (he knew his wife was always looking at him out of the parlour window,) an energy in the way he grasped his saw, adze, or hammer, or his watering pot, and jerked them from hand to hand, or upon a bench, when he had done with them ; all of which plainly bespoke his ambition not to pass 'for so very old a man, neither ;' certainly to give the idea that he was a miracle for his age. Every Sunday he appeared caparisoned for church in a complete shining suit of black, taken out of a press, and in a hat, also shining, extracted from one of his wife's early handboxes ; the clothes and the hat some ten years in his, or rather in her, possession, and thus displayed once a week during that period, yet both looking as if sent home the Saturday night before ; and, indeed, considering that they had encountered scarce three months of careful wear altogether, namely, the wear of about two hours every seventh day for ten years, it was not after all so surprising they should look so new. Sometimes his wife allowed him to invite to a Sunday dinner five or six old men like himself, all clad in shining black too ; and when John saw them come crawling towards the house, or, joined with their

host, crawling and stalking about the yard, he felt an odd sensation of disgust, such as he thought might be aroused by the sight of so many old shining black beetles; the insects that, of all that crept, were his antipathy and loathing. His wife has been called fat; she was so, to excess; so much so, that she waddled under her own fardel—herself; but she was strong and sturdy too; and her waddle did not lessen the length and stamp of her stride, when, upon occasions that required a show of authority, she came out to scold, or, as her niece called it, to ‘ballyrag,’ in the kitchen, at her hand-maidens, or in the hall, at her poor lodgers up stairs. Then the little house shook from top to bottom under her heavy and indignant step, as well as with the echoes of her coarse man’s voice, half smothered amid the fat of her throat, and the sputterings of her great pursy lips. And poor Letty also shook, from top to toe, on these occasions, and flew for shelter to John’s arms. When not called upon thus to enforce law in any refractory branch of her garrison, Mrs Grimes spent the day in a vast indolent arm chair, reading pathetic novels of the last age, or casting up her accounts, to re-assure herself, over and over again, of the pounds, shillings, and pence, laid up during the last month or week, and how half a farthing might be split for six months to come. Every day by twelve o’clock, she was dressed ‘like any lady,’ (still according to her niece,) to receive her cronies, or strike with importance the tax-collectors or landlord’s agent, none of whom had ever to call a second time; and that was her constant boast; but even there, shut up in her parlour, the old female despot was fully as much dreaded as if her voice and her stride sounded every moment through the house,—or as much as if she had lain there screwed down in her coffin, and that, at the least turn of a hand, herself or her ghost might come out to roar for a strict reckoning. Her daughter and niece (the latter an orphan) supplied the place of a servant maid, in lieu of the eating, drinking, and sleeping, such as it was, that came to their lot. They were of a size, and that size very little; of an age, and that more than thirty; but from their stunted growth, hard, liny shape, and non-descript expression of features, might pass for ten years younger, or ten years older, as the spectator fancied. They gave no idea of flesh and blood. They never looked as if they were warm, or soft to the touch. One would as soon think of flirting with them, as with the old wooden effigies to be

found in the niches of old cathedrals. They imparted no notion, much less sensation of sex. But they were as active as bees, and as strong as little horses; and as despotic and cruel, if they dared, and whenever they dared, as the old tyrant herself. From the moment they arose in the morning, thump, thump, thump, went their little heels, through the passage, to the kitchen, up stairs and down stairs, or into the parlour, to see after the fires the old man had lighted; to make up the beds; to prepare breakfast; to put every thing to rights; to sweep, to brush, to shake carpets, to clean shoes, knives, and forks; to rub, scrub, polish, and beautify, for ever and ever; the daughter always leading the niece; and the whole of this gone through in a sturdy, important, vain-glorious manner; accompanied by slapping of doors, every two minutes, and (ever since Letty had refused to go down to the parlour to join an evening party,) by loud, rude talking, and boisterous laughing, just to show that they did not care a farthing for the kind of conceited poor lodgers they had got in the house. The house-keeping of the establishment was peculiarly loathsome to John. The baker had never sent in a loaf, bun, roll, biscuit, or muffin, since the day, now some fifteen years ago, when Mrs. Grimes came to reside in the neighbourhood: and even the home-made bread was of the coarsest possible quality, and often used a fortnight after it had been baked. Each day, the dairyman left one halfpenny worth of milk at the door. They made their own precious mould candles, or burnt such nefarious oil in the kitchen lamp, or, upon a gala night, in the passage, as poisoned and fumigated the whole house. The morning tea leaves were preserved and boiled for evening. No eggs, no fresh butter ever appeared. The fires, after having been once made up in the morning, were slaked with a compost of coal-dust and yellow clay, which, shaped into balls, also formed stuffing between the bars. Upon a Saturday evening, the old man sneaked out to drive hard bargains for some of the odds and ends left in the butcher's stall after the day's sale; and these, conveyed home by stealth, furnished, by means of salting and hanging up in a cool place, savoury dinners for the week. Upon a washing day, starch was made out of potatoes, to save a farthing. No charity was in the house, nor in a heart in the house. In the faces of all professed beggars the street door was slammed without a word, but with a scowl calculated to wither up the wretched suitor; and with respect to such as strove to hide the

profession under barrel-organs, flutes, flageolets, hurdy-gurdies, or the big-drum and pandean pipes, their tune was indeed, listened to, but never requited. Yet the family was a pious family. Mr. and Mrs. Grimes sallied out to church every Sunday, and sat at the parlour window every Sunday evening, (while their daughter and niece went, in turn, to have a rest, as they said,) a huge old Bible open before them, and visible to all passers by, that the neighbours might remark—"there's a fine old couple." John, however, thought it odd, that after all this, his cold mutton or his cold beef used to come up to him, out of the safe, (a pretty 'safe,' truly) rather diminished since he had lost the pleasure of seeing it; and one Sunday evening, after listening for half an hour to the daughter's shrill voice, reading the Bible before supper, when, on particular business, he somewhat suddenly entered the parlour, he was still more surprized to find the good family seated round the ham, (a rare temptation, no doubt, in their system of house-keeping) which that day had formed part of his dinner. But nothing irked him half so much as the ostentatious triumph over starvation, the provoking assumption of comfort, nay, elegance, as it were, and the audacious independence which resulted from the whole economy. He felt it, as before hinted, to be the most irritating specimen of poverty. Old Grimes's glossy Sunday coat, perpetually the same, was worse than the clouded gaberdine of a roving beggar. Every burnished thing around him seemed to shine with a beggarly polish. The whole house and its inhabitants had an air of looking better than they really were, or ought to be; and the meanness, the sturdiness, the avarice, the hardheartedness, that produced this polish and this air, he considered as loathsome as the noise, the thumping about, the loud talking, and the endless fagging of the two little skinny Helots was brazen and vexatious."*

We have given these, and former, extracts from Banim's works, as they prove how strongly the every day events of his early life became impressed upon his mind; and how he, like Sir Walter, Galt, and Moir, drew, from the world around him, the materials of which the scenes and characters of his novels were composed. Thus situated the poor boy worked out his lonely time. But even here the depressing effects of his abode could not repress his ardent industry, or overcome his love of literature; and whilst residing at Oliver Wheeler's he first "saw himself in print." The piece was a

* See "Tales By The O'Hara Family," Second Series, Vol. II, p. 64,

metrical criticism on the Exhibition of Irish Artists, and was entitled *A Dialogue In The Exhibition Room*.

We shall now introduce some extracts from his letters written during his residence in Dublin. In each of these, as in all those which we shall insert, addressed by him to his friends at home, there is a love of all that surrounded the hearth which recalls those beautiful letters written by Moore to the dear friends in Aungier-street, and which show a heart that, not fame, not other, and brighter, hopes than those of youth could soil or taint.

Banim's first letter is addressed to his mother, and describes his mode of life.—

“*Dublin, December 23, 1813.*”

My dearest Mother,

Your anxious love could not wish me better than I am, or with better prospects before me. I have the countenance of all, and the friendship of many of the first artists and amateurs in my profession. I meet with warm encouragement, and hope of success from every one.

If with the assistance of heaven, and I know your prayers will aid me, I can persevere in my studies, and endeavour to trace the footsteps of eminent painters, what have I to fear, or you to make you sorrowful or apprehensive?

I am as contented and happy, as any one in my position could be. I am grinding my colors every second day from seven in the morning, until night: every intermediate day is spent in the gallery and in drawing from the figure.”

The two following letters are addressed to his father. In the first he writes of his lonely Christmas; in the second he tells of his every day occupations, and in the refusal of the “nice blue coat,” as a present, because he could, himself, afford to buy one, we can trace the spirit which he evinced when requiring repayment of the sixpence which he had lent his father; and though not quite sixteen years old when this letter was written, it proves that then, as in later years, he was ever anxious to be the support, rather than the incumbrance, of his family.

“*Dublin, December 25, 1813.*”

My dear Father,

I write to you on the festival of Christmas, the first from my birth, that I have spent from home.

There is nothing in the intercourse with strangers to re-

compense one for the absence from our kindred : but I must not murmur against what cannot be avoided.

The festival of Christmas reminds me that I am solitary. There is no equivalent for the peace and blessings I have hitherto enjoyed at our Christmas hearth."

" Dublin, March 23, 1814.

My dear Father,

It would be the dearest wish of my heart, could I have the inexpressible pleasure, of embracing you all at Easter. Solitary and retired as I live, it would indeed be a treat to my feelings : but necessity interferes to prevent this indulgence. Sunday excepted, I have scarcely a moment unemployed. In the morning early I attend my tuition : then either painting a portrait at home, or studying the antique in the gallery, employs me until six : my dinner is scarcely swallowed, when I am off again, either to the figure academy, or the anatomical lectures opened for the benefit of artists, by the Irish Institution. I am scarcely ever home again until ten, and then generally fall asleep soon. Notwithstanding my conviction of its imprudence, I am greatly tempted to yield to the overflowing impulses of my heart, and anticipate my Summer visit by an Easter one.

You state your intention, my dear father, of sending me a nice blue coat. Providence has thrown a few guineas in my way lately, and I have the prospect of a few more. Let me decline you offer therefore. I will positively treat myself to a new coat and other etceteras, the fruits of my own earning."

Two years of the dreary life here recorded passed by, and at length Banim returned to Kilkenny, intending to commence life as an artist, and teacher of drawing ; and although he had received but two years tuition in his art, he was fortunate in securing very satisfactory and encouraging employment.

He was just eighteen years of age, about the middle height, and of good figure. His face was oval, and though not handsome, his high broad forehead, and his dark-hued eyes, teaming with life and spirit, saved him from the designation, ugly. And now the common fate was his :—Tennyson sings of youth—"In the spring a young man's fancy lights turns to thoughts of love"—

and our poet-painter was no exception to the rule. He was

the admirer of every pretty girl in Kilkenny, and between rhyming, painting, flirting, and book-lending, his entire time was fully occupied.

One evening, whilst he was sitting at tea with his mother, the good woman abruptly said to him,—

“John.”

“Well, mother?” was the response.

“Whom do you love, John?” she continued.

“Well mother,” he replied, “upon my word there are so many of them that I am afraid I can’t particularise;—but let me see”—and, counting his fingers, he added, “there is Mary—, and there’s Anne—, and there’s Kate, and there’s Jane.”—“John, John,” cried his mother, smiling at the confession, “you know well that is not the answer I taught you to give to the question—long ago you knew it and would say, ‘I love God above all things and my neighbour as myself for the love of God,’ I see, John, your boyish days are over.” Truly, the boyish days were over, the catechism was forgotten, self was forgotten, and the dream of youth was upon him.

At one of the schools which he attended, as the teacher of drawing, was a young girl, named Anne D—, a boarder in the establishment, and a pupil of Banim’s. She was a fair, bright-eyed girl, in the full, fresh beauty of seventeen,—artless, innocent, and pure-minded. The young teacher,—the poet, and the painter,—forgot the grave moral of the history of the tutor Abelard and the pupil Eloisa, and, day by day, a deep, whole heart passion grew within his breast, and each attendance at the school served but to strengthen his affection. He dared not tell her of his love, but love, when the youth is only in his nineteenth year, and the maiden in her eighteenth, cannot long lie hidden, and soon each read, in the eyes of each, that tale of passion which was to end but in the death of one—in the long and lingering agony of the other.

When Banim found that this girl loved him, he seemed another being. He concealed his affection from all: he told his brother that his mornings were devoted to sketching the landscapes around Kilkenny, but these early morning hours were the trysting times when he and Anne D— roamed along the quiet banks of the Nore, or strolled through the fields, accompanied by an under governess, who aided the young lovers, and devised means by which the absence of her charge might escape detection.

For both it was a happy dream,—for them—

"Love took up the glass of Time, and turn'd it in his glowing hands ;

Every moment, lightly shaken, ran itself in golden sands.

Love took up the harp of Life, and smote on all the chords with might ;

Smote the chord of Self, that, trembling, pass'd in music out of sight."

Mornings of love,—days of love musing,—nights of dreaming love, rarely continue unnoticed by those who are intimate with the lover, and Banim's brother having discovered this secret of his morning's walks, was made his confidant in the confession—" I love Anne D— as boy never loved girl before."

That his love was true and deep cannot be doubted, and as the expression of feeling, rather than as a proof of his poetic ability, we insert the following pieces, written at this period—

"My Anna is tall, and my Anna is fair,
Dark brown is her eye, and jet black is her hair,—
She is straight as the poplar that springs in the dale,
Her eye beam is such as the glories that sail
Over the bosom of midsummer heaven
When angels disport in the sunbeam of even.
The bright rose of summer indeed does not streak
With full ruddy blush the warm snow of her cheek,—
For love thought it pity to scatter or spread
With ill judging craft all his treasure of red,
But gave it to glow in a spot so divine
That the essence of all in a kiss might be mine."

The following is a scrap from a long effusion—

"It is the blushing time of roses,
I feel the fragrance it discloses ;
Love laughs before my beaming eye
Through grove and garden, earth and sky ;
In every path, o'er dale, o'er hill,
I meet that babe of beauty still."

"TO ANNA.

Yes, love hath lent his smile of pleasure
To gild the morning of my days,
Oh ! every sod my footsteps measure
Through fortune's doubtful, devious maze—
Every path of toil they press
That beam shall bless—

That holy beam shall brighten up
 The foulest draught of sorrow's cup—
 That holy beam shall light the shade
 Of life when all her fancies fade,
 And on the way, to me so dark,
 Leading to fame's magnetic altar,
 Oh ! even there that angel spark
 Shall brightly guide my ardent gaze ;
 My heart shall sparkle to a blaze,

And never falter.

I thank thee, high and holy pow'r,
 That thus upon my natal hour
 Thy blessed bounty hath bestowed
 More than to mortal life is owed ;
 If thy dispensing hand had given
 All other joy this side of heaven ;
 The monarch's crown, the hero's crest,
 All honors, riches, gems, the best
 And Anna's love away the while
 I'd change them all for Anna's smile."

Banim's nature was impetuous, and, having assured himself of his mistress' affection he resolved to wait upon her father and demand her hand. A year had passed since he first loved her, and he would not be satisfied until he called her his wife. He was not twenty years of age, his profession was not more than sufficient to support him, his friends were reduced in circumstances, owing to the inability of some persons to repay certain sums of money lent by old Michael Banim, but all prudential considerations were despised by the lover, and so he went forth, accompanied by a friend, to seek the consent of Anne's father.

Anne D—— was the illegitimate daughter of a gentleman residing in a neighbouring county. He was a surly, rude-tempered old man, and replied to Banim's request of his daughter's hand with sneers and scoffing. The young lover retorted the insulting expressions used ; both parties were violent, and recriminations were ended by the order of the old man that Banim should at once leave the house. He returned to Kilkenny, dispirited and heart sick ; he had never permitted himself to contemplate a rejection of his suite, and when he, the same evening, obtained an interview with Anne

D——, it was one of tears and sorrow—it was the last time he ever spoke to her, save clandestinely.

The doors of the school in which Anne resided were closed against him ; all communication was barred between them, and by stratagem alone could he tell her how deeply and how truly she was still beloved. All means of addressing her were tried, and those who watched Anne, and her fellow-pupils, as, on Sunday evenings they left the Church, might have observed a figure clothed as a countrywoman, in long grey cloak and full deep hood, stealing close to Anne's side—this was Banim disguised, and it was on these occasions that he contrived to press his mistress's hand, whilst he placed within it a poem, or a letter, telling her to love and hope. In this manner, and by transmitting notes in his sister's school basket, he was enabled to communicate with her.

Anne's father induced a female relative of the girl to call upon her at the school, and by a pretended sympathy, endeavour to discover if her love for Banim were real and deep. The plan succeeded ; Anne told the whole story of her heart,—it was considered that absence alone could cure her girlish folly, and her father arranged that she should be secretly removed from school, and placed in the house of one of her mother's family. She was removed, but Banim discovered the day and hour at which she was to leave, and the route by which she was to travel. He found that the chaise, bearing Anne and her female protector, was to pass by his father's door—he took his place by the treshhold, and as the carriage rolled by, he rushed, bare-headed, before the vehicle ; to avoid the danger of overturning him, the horse's were suddenly and violently checked, Anne leaned from the window, pale, and terrified, and sobbing bitterly, the lovers' eyes met but for a moment, the carriage moved quickly onward, and John Banim never more, in life, saw Anne D——.

He re-entered the house, and uttered no cry, but sat in stony sorrow : a small parcel was placed in his hand, it was addressed to him, the handwriting was that of Anne, he tore it eagerly open,—it contained his own miniature which he had painted for her, and which for months she had worn, concealed in her bosom ; the parcel also contained his letters and verses. He examined the miniature closely, it bore no secret line ; he pored over the papers in hope that they might conceal some covert intimation that this return of all his offerings was not Anne's own free act,—but all was as he himself had written, not one line or

word to tell him she was faithful—he paused a moment looking upon the miniature, and then dashing it to the ground, crushed it to atoms beneath his feet,—tore the letters and verses into fragments, and as he scattered them away,—as the memory of all his hopes and joys came back upon him when he thought of their vows and promises, he cried, bitterly and fiercely, “Curse her—curse her—to abandon me and break my heart!”—and burst into angry tears.

No commiseration could soothe him ; no attention could win a smile, or word of pleasure from his lips. His constant complaint was, that Anne had abandoned him, although no earthly power could induce him to forget or abandon her. Now she was false, false as only a heartless woman can be, and in his despair he wrote such lines as the following :—

“Thou that in youthful folly’s bow’r
 Would’st lavish thus an idle hour ;
 Thou that would’st fondly hope to win
 The love a woman’s heart within—
 Go, heart of hope, to pleasure’s sleep,
 But let it be, nor long nor deep.
 Go, taste the bloom of woman’s lip,
 But only taste, and lightly sip—
 Go, if it suit thy sparkling soul,
 On passion’s frantic wave to roll ;
 Partake of ev’ry boasted feeling
 Of all that’s worth a lover’s stealing ;
 But give thy lightest leisure hour
 Alone, to love’s delusive power ;
 Pledge not thy faith a hair beyond
 The sigh of sense or passion fond.—
 Let not one vital chord of thine
 Round faithless woman’s heart entwine,—
 No youthful hope shall perish then,
 As fickle woman roams amain ;
 No fainting pulse, no brimming eye
 Shall note the wanton trifler fly ;
 No riven heart-string there shall break,
 When woman spurns her bondage weak ;
 And not a withering pang shall wait
 To blast thy hopes, and gloom thy fate.”

But Anne was not faithless, and to the last hour of his life

Banim regretted his doubt of her affection,—he learned but too late that

“ ——— Love is love for evermore.”

The house to which Anne D—— had been removed was situated about twenty-five miles from Kilkenny, and the affection that still lingered in Banim's heart induced him to open a new correspondence with her. He sent the letters by trusty messengers ; he knew that they had been deposited in places with which Anne was acquainted ; he wrote again and again, in all the fervor of his earlier love, but to none of his letters was there a reply. Anne was not faithless ; she received one only letter, and that the first, all gloomy and half upbraiding ; she was detected in the act of reading it, and the succeeding letters were intercepted.

Anne made no complaint. She thought of the past-by days of joy,—of the mornings when, out by the sunny river she had heard the tale of love, as only youth in its spring can breathe it, whilst around the path of the poet-painter and his fair bright idol—

“ The summer murmur'd with her leafy lips,” and pining for the loss of all her heart held dear, her cheek grew pale, her step lost all its bounding lightness, her eyes shone with that terrible brilliancy which shows the wasting of life, and then it was plain that the fiend, Consumption, had seized her. She never struggled against the disease ; she was removed from the school in Kilkenny in the month of September, and whilst Banim was condemning her as a heartless mistress, she was expiring, with his love the sole treasure of her life,—and in the November following her removal from school, a period of less than two months, Anne D—— was dead.

Banim was informed of the melancholy catastrophe, the day succeeding that of her decease, and then came the full tide of sorrow upon his heart, for in hearing she was dead, he heard also that her love for him had been the cause of all her griefs, and in her agony his name had been the last upon her lips.

When he discovered that she was no more, he merely said to his brother, who was appalled by the pain displayed in his features, “ Anne D—— is dead,” and, retiring to his bed-room, remained in solitude and silence.

He rose early the following morning—it was cold November weather, the rain was falling, and a gloom was in the sky and upon the earth. Banim left his home, wishing once more to

look upon the victim who had been so dear in life, but who now, in death, was dearer than ever. He was too poor to hire a chaise; he borrowed a horse, but he could not endure the slow, steady pace of the animal, and when about a mile from Kilkenny sent it back by a country child, and continued his way on foot.

He never knew by what route, or how, he traversed the twenty-five dreary miles which lay between him and the corpse of his beloved, but night had closed around the dripping weary man as he reached the farm-house where the body of Anne D—— lay. None of her relatives were present as he entered, and but few friends sat around. He stood beside the dead one's head, and the long black lashes of the closed eyes resting upon the pallid cheek, the shrunken features and the worn look of her whom he had once thought so beautiful, from whom he had so recently parted in all the glory of her youth, terrified him, and he gazed upon her, but shed no tear. His face of agony attracted the attention of those persons who had gathered by the coffin, and as he stood beside its head, one of Anne's half-sisters recognised him, called him the murderer of her sister, and demanded that he should be thrust from the room.

At first Banim felt indignant at this cruel conduct, but suddenly he thought that if Anne had never loved him she might be then living happily; had she never met him she might be joyous and in health, but now she was a wreck of hope, of peace, of life, and, scarcely daring to look upon her, he tottered from the room. He had eaten nothing since the preceding day, he felt no hunger, but, entering an out-house, sunk upon the wet straw of a car-shed, and there, in a stupor of grief, continued until he heard the funeral guests assembling.

He rose, re-entered the house, and being permitted to stand beside the coffin, saw the face of his Anne for the last time, as the coffin-lid hid it for ever. He followed the body to the church-yard, stood by as the earth was piled up, and when all had departed, cast himself upon the fresh green mound that marked the grave of his first love. He never could recollect where the night succeeding this day of woe was passed, but the following morning his brother met him about ten miles from home. Leaning upon the arm extended to him, he trailed his limbs along until he reached his father's house; with his brother's help he ascended to his room, and though from the time when they had met upon the road no word had been spoken by either, yet when entering his

apartment he appeared to recognise it; the feeling of consciousness was but momentary, and he sunk upon his bed, powerless and senseless, prostrated in mind and body.

During the twelve months succeeding this day Banim merely existed. The whole system seemed shattered. His head ached so violently, that in his paroxysms of pain, his body rocked with an involuntary motion so violent, that as his head rested upon his brother's breast, it required all the latter's strength to curb the violent swaying of the sufferer. "It seemed," he said, "as if the brain were surging through the skull from rear to front, and from front to rear, alternately." He lost all anxiety for his profession or for literature, no occupation could interest him, he could rarely be induced to leave the house, and when he did go abroad, he quickly became wearied; he seldom spoke—and thus, his first love laid the seeds of that frightful suffering, which, during the greater portion of his existence, rendered him one of the most miserable of men. The three nights of suffering and exposure to which, at Anne D——'s decease, he was subjected, broke down the stamina of life, and left him, at twenty years of age, a victim to spinal disease, which, but a few years later, reduced him to a crippled body, whilst gifted with a mind active as ever genius possessed,—his fate indeed was harder than that of Tantalus.

The first symptom of returning health evinced by the sufferer was the composition of some verses. They show the weary spirit that would free itself from all recollections of the past, and would

"Pluck from the memory a rooted sorrow;
Raze out the written troubles of the brain."

Sorrow, however, at nineteen, cannot be very deeply seated, and he must be melo-dramatic indeed, who fancies that in plucking it from his bosom his heart may form its root; and thus, as time rolled on, Banim found that the world had its joys still, even after all his woes, and so, for him, once more arose the bright blue days—

"Full of the sun, loud with a thousand larks."

Then it was, that as the clouds passed away, the darkened spirit cast off its veil of grief, and he wrote such verses as these detached fragments:—

"I saw her, God of goodness great!
I saw her in her winding sheet—
And I saw her mingle then

With her mother earth again ;—
 I saw her—and I could not save,—
 Sink into her early grave.

It cannot last. The fever of affliction
 But feeds on thought. And all the balm
 Designed by preaching patience for the sufferer's pang
 Changes to poison on his parched lip.

Avoid me, Memory—we are friends no more —
 It is an awful hour, the midnight moon
 Looks from her land of loneliness upon me,
 Yet in the silent night I fear no foe,
 I fear no stalking spectre as I fear thee, Memory."

We hear close the first part of this biography of John Banim. We have told the story of his life to his twenty-first year. It shows him to have been swayed by all the passions and weakness that dictate the actions of other men, but it shows too the energy which marked his later years. A boy, he left his home for Dublin ; two years in the metropolis had not corrupted him : like Southey, he was too pure a worshipper of beauty and of goodness to be vicious, even if faith and early training had not spread their shields above him ; and so, a boy, he returned to his father's roof.

In his life at home he may have shown that unsteadiness, that want of fixity of purpose, which has so frequently marked the early years of men whose genius is less bright than that of Banim ; and when, in the succeeding parts of his biography, we shall prove what Banim really was ; how unspoiled by society, he continued to the end ; how willing he ever was to serve, even at the risk of loss to himself, a young adventurer in the world of literature ; how nobly he hoped for himself that, by honest work and thought, he might make his name known in the literary history of the nation ; how boldly he ever *dared* to be an Irishman ; how, to the end, as a husband, he was a lover ; how, as a father, he was tender as Scott, buoyant and thoughtful as Southey, anxious as Moore—when we shall have placed these truths before the reader he will know John Banim as he really was, and if some defect of character shall strike the reader's mind, it will but show that the novelist was like other men, and whose bad qualities must be pardoned for the sake of their good deeds :—because, as

Thomas Brown writes of the body, we may write of the mind :—" Affection should not be too sharp-eyed, and love is not to be made by magnifying glasses. If things were seen as they truly are, the beauty of bodies would be much abridged. And, therefore, the wise contriver hath drawn the pictures and outsides of things softly and amiably unto the natural edge of our eyes, not leaving them able to discover those uncomely asperities, which make oyster-shells in good faces, and hedgehogs even in Venus's moles."*

ART. III.—THE HISTORICAL SOCIETY OF TRINITY COLLEGE, DUBLIN.

FIRST ERA.

In tracing the history of a Society the origin of which dates back so far as 1747, and the records of whose proceedings are of the most meagre description, it would not be surprising that many interesting particulars should be omitted—many names worthy of mention left unrecorded.

We have, however, endeavoured to fill up, from every possible source, the details that may be wanting, and have sought to impart interest to the subject, by bringing before the reader as great a number as possible of the distinguished men who have, from time to time, adorned the Society.

We do not purpose to enter into particulars concerning the rise and history of Debating Societies. Wherever a number of young and ardent minds are associated, confident in their wisdom and powers—with the boundless realms of knowledge, all but unexplored, lying before them—ere yet the pilot Experience has grasped the helm—there will ever be exhibited an anxiety to impart to others the information they conceive is possessed by themselves, and a wish to show to the world that

* "Christian Morals." Sect. IX.

young though they be in years, they are not so in knowledge. And, accordingly, in almost all the Universities, and in many of the Public Schools, we find such societies existing in one form or another. In both the English Universities they have long flourished.

To go back further; in 1698, we find the celebrated Minister, Sir Robert Walpole, then a student of King's College, Cambridge, a member of one. So, also, in Scotland, societies of this kind were early formed. In 1740 was established, in Edinburgh, a Society which numbered, among its members, Dr. Robertson, Home, the author of *Douglas*, and several others, who afterwards attained to celebrity. In 1754, The Select Society was founded, by Allan Ramsay, the poet, and some of his friends; and in 1764 The Speculative Society arose. We shall have occasion to write hereafter of the Speculative, but at present, without dwelling further on the various societies in England and Scotland, we will come at once to our own Historical Society.

This Society, which dates back so far as 1770, and of which the present Historical Society is the immediate offspring, was not the first of the kind or name in College. In 1747, there existed a Society, formed by Burke, for the cultivation of Composition, History, and Oratory, on the plan that was subsequently adopted by The Historical Society. From some interesting letters, given by Prior, in his biography of Goldsmith, it would appear that not only were many of the studies and occupations of the members in common, but even their letters were the joint productions of several of the number. Our readers, we are sure, will forgive the introduction of one of these letters, as giving a better insight into this little Society than anything we could write upon the subject:—

“ May 28th, 1747.

“ *Scene I.*—Burke, Dennis.—The Club Room—Dennis goes away about some business. Burke *solus*.

“ As the Committee appointed for the trial of Dennis has just now broke up without doing anything, for want of members sufficient, I have time enough on my hands to write what you desire—an account of the proceedings of our Society since your departure; in which you have been a perfect prophet, for Mohun was formally expelled last lustrum by the censor, Mr. Dennis. After an examination of his conduct from the first foundation of the Society, it was found exceeding bad, without one virtue to redeem it, for which he suffered the above sentence. He was tried some time before, (Burke pres.) for his bad behaviour, but behaved still worse at trial, which brought fresh punishments on him, and at length expulsion.

"This is not the only revolution in our Club. Mr. Buck's conduct much altered for the worse, we seldom see him, for which he has not been spared. Dennis, Hamilton, and your humble—ha! ha! attend constantly. Cardegrif,* as we expected, middling. You all this while are uneasy to know the cause of Dennis' accusation: it is no less than an attempt to overturn the Society by an insolent behaviour to the President and Society. I am the accuser; and when you know that you will tremble for him. I must congratulate you, likewise, on the Censor's minor thanks, which you received, with a declaration that, had you entered earlier into the Society, you had been entitled to the grand thanks. The Censor gave himself the grand thanks and the same to me. We had, during your absence, the following debates very well handled.

"On the Stadtholder—Burke, an oration: Lenity to the rebels,† a debate—Dennis for, Burke against:—Prince of Orange to harangue his troops,—Dennis: The Sailors in a ship turning Pirates—Dennis for, Burke and Hamilton against. Catiline to the Allobroges—Dennis: General Huske for engaging at Falkirk—Burke for, Hawley and Dennis against; Brutus the First to the Romans—Burke.—Hamilton is now president and a very good one."

And again, in a continuation by another hand,—

"Burke is now writing the proceedings of the assembly, and just saying he'll pass over part of the debates because he is tired. You see he is *semper eadem*: as lazy as you imagined, though I must do him the justice to say he designed writing last night: what prevented it heretofore was our expectation of your first challenge, and likewise Ned (Burke) thought it preposterous to be threshing his brains for you when he is writing for the public;‡ pray laugh heartily now, lest you should split when you see the subject he has chosen, and the manner he has treated it; but I will not anticipate your pleasure by acquainting you any more."

The Hamilton mentioned in the above letter is, most probably, the late distinguished mathematician and divine, Hugh Hamilton, Bishop of Ossory, who was contemporary with Burke. He obtained a fellowship in his 22nd year, and died in 1805. Goldsmith may likewise be reckoned among the members of this Society; and though we cannot find that he was a very active member of a body that required attention and labor, yet we may be sure that the opportunities for display, which such an Institution afforded, were not without weight

* A name given to one of the party, but to whom does not appear.

† Alluding most probably to the lately suppressed Rebellion in Scotland.

‡ Does this allude to the "Essay on the Sublime and Beautiful?" He had, we know, commenced it before he was 19 years of Age, and had kept it by him for several years, not having published it till 1756.

with one in whom vanity formed the baser vein in his otherwise excellent nature.

How long this early Historical Society lasted cannot now be ascertained, but it is probable that on Burke's leaving College, (where he took his A.B. degree in 1751,) the Society declined. Certain it is, that, in 1753, another Society was formed, a volume of whose journals was in the possession of The Historical Society, when it was dissolved in 1815; but unfortunately it has been lost, as has also been the first volume of the proceedings of the Society of 1770, in the interval that elapsed between that dissolution and the establishment of the present Society. This Society of 1753 appears at first to have been established merely for the cultivation of historical knowledge, but after it had been formed for somewhat more than a year, a monthly debate was added to the original plan. Among the members of this Society were Yelverton, afterwards Lord Avonmore, and Scott, afterwards Earl of Clonmel.

Yelverton might well be the founder of a Debating Society; his eloquence was magnificent. One speech, delivered in 1782, in favor of the Roman Catholic Claims, is thus characterized by Grattan, when speaking of the Penal Code:—"It," the Penal Code, "was detailed by the late Lord Avonmore—I heard him—his speech was the whole of the subject, and a concatenated and inspired argument, not to be resisted: it was the march of an elephant, it was a wave of the Atlantic, a column of water 3000 miles deep. He began with the Catholic at his birth, he followed him to his grave; he showed that, in every period, he was harassed by the law—the law stood at his cradle, it stood at his bridal bed, and it stood at his coffin." The following extract, from the proceedings of the Society, at its meeting, June 11th, 1757, seems to refer to the Club formed by Burke, some ten or twelve years before, and renders it probable that the latter continued its meetings up to this time, at least. "A Committee sat to take into consideration a scheme for incorporating with the old Historical Club. Resolved, that it is impossible for the Club, under their present circumstances, to incorporate with the above Club. Stopford, Chairman."

The volume of journals, from which this is taken, brings down the proceedings of the Club to Saturday, October 29th, 1757, on which day the Club adjourned to November 1st, of the same year. How much longer this Club continued to meet we have no means of ascertaining, or whether The His-

torical Society of 1770 owed its origin in any way to it. The fact of this volume of its proceedings, with one or two from the library of these older Societies being in the library of the Society of 1770, would seem to point out that it did.

Dublin, at the time when our paper properly commences, in 1770, was, as when has it not been, agitated and disturbed by political excitement; and in the efforts of Lucas and his associates were exhibited the evidences of that spirit which, in '82, hailed with delight the bright dawn of freedom, and fondly dreamed of ages of glory and independence. Alas! that that dream should have been, like the Indian summer in America, the smiling prelude, but still the prelude, of a winter which has only now began to roll away; a winter in which the blighting influences of venality and hypocrisy, the biting frost of famine and plague, and the rude storms of unprincipled agitation have united in delaying the advent of that spring, which, we trust, even now dawns upon us, and gives promise of fruit, in the early blossom, of such an enterprise as that which so lately attracted to our capital crowds of strangers, whom all the beauties of our Isle could not entice before to visit a land, in which, to use the words of the poet—

“All save the spirit of man is divine!”

But we must not suffer ourselves to be led away into the debated ground of politics while we write these brief notices of The Historical Society.

Debating Clubs appear to have become popular about this time in Dublin, not only within the walls of College, but also in the city. The Constitutional Free Debating Society seems to have attained to very considerable celebrity. The members assembled in the Music Hall, now the Theatre, in Fishamble-Street. Their debates were generally very well attended: strangers were charged one shilling on entering the Hall, and when we consider the numbers who attended their meetings, amounting to as many as four or five hundred each night, we may suppose that the Society was not only a very popular, but a very successful one.

We lay before our readers one of their advertisements, as a curiosity in its way:—“The Constitutional Free Debating Society will meet to-morrow evening (May 7th, 1771,) at the Music Hall, Fishamble-street, in order to discuss the following subject, ‘Whether a Member of Parliament Ought to Pursue his Own Sentiments or those of his Constituents in Parliament?’,

Resolved, that the question, ‘Whether the people of England were justifiable in putting King Charles to death?’ is, at this time, improper to be discussed. Tickets of admission will be delivered next Monday and Tuesday (Price One British Shilling) at the Bar of the Phoenix Tavern, Werburgh-street, in order to prevent confusion at the door of the Hall. The Debates to begin at a quarter after 8 o’clock, and conclude by a quarter after 10.” Not only were the public admitted to listen to these debates, but many of the speeches, delivered at the Society’s meetings, appeared next day in the public prints of that party, the extreme liberal, to which most of the members belonged.

But to return to the Historical Society.—We are unfortunately deprived, by the loss, as we have mentioned above, of the first volume of the Society’s proceedings, of all particulars relative to its foundation, and therefore cannot ascertain who were the founders, or whether the Society had any immediate connection with those formerly existing. It has been said that Grattan was among its earliest members, but we cannot find on what proofs. He certainly was in Dublin in the spring of 1770, but he was no longer in College, and at the end of March he went over to England to prosecute his law studies; he might, however, have aided in the establishment of the Society during his stay in Dublin, and there is no doubt he approved of it. In writing to his son, Henry, long afterwards, he states, alluding to his success in the Society, he having obtained a medal for composition, “I was happy to hear of your success, you are right to apply yourself to composition, such an application will make you read with observation.” Lord Brougham, indeed, in his *Historical Sketches of the Statesman who Flourished in the Time of George III.*, writes, that not only Grattan, but Flood also, were members of the Historical Society; but we fear the Society cannot lay claim to either of these great names, certainly not to the latter, for Flood had been some time in Parliament when the Society was established. Curran, too, who was a Scholar in 1770, might be supposed to have assisted in the formation of the Society, but of this we have no evidence; indeed, we may presume, he did not, from his nervousness on his first appearance at the “Devils,” in London; if he had been previously a member of The Historical Society, the debates in London need have caused him no trouble or uneasiness.

We can use the guidance of the journals of the Society

the Society from the year 1773; it had then attained to very successful position, the average attendance of members at that time amounting to upwards of eighty.

Mr. Ball thus opens his speech, from the chair, at the end of the summer session of 1774:—"Self applause should never be otherwise than cautiously, never otherwise than deservedly bestowed. It is an unfading wreath, the present of God himself, whose flowers the heart of man cannot ravish, and the breath of malice cannot blast. Let us not profane the holy gift! 'Tis profaned when offered by the hand of self love! 'Tis profaned when offered at the shrine of vanity!" Having thus prepared his hearers, the account, which follows, of the Society's debates, is certainly not very flattering. "One gentleman," he says, "arises and opens the debate by modestly informing the Society that 'he has nothing to say, for that indeed he has not studied the question,' and sits down. Another arises to oppose the last and to that purpose, with equal modesty, assures us that 'the arguments of his learned and respectable friend, who opened the debate, carry with them such weight and authority, 'twould be presumption in him to attempt an answer, and—besides—indeed—being prevented—by necessary avocations—he has not studied the question either,' and he sits down. The President, after some minutes spent in the most awkward silence imaginable, is forced to arise and put the question to the vote. And that question, which was proposed for the improvement of our language, the exertion of our genius, the exercise of our reason, and the discovery of truth, that question which perhaps involves in it some of the most interesting points in philosophy, or deepest principles of Government, is left to be determined by the blind, fortuitous, and tumultuous aye or no of a majority, who scarce know their own mind, and who are not ashamed in pronouncing this aye or no, to express, in the most public and dogmatical manner, an opinion, which, from their silence a little before, they might fairly be presumed to be absolutely incapable of supporting by a single argument. As if their ignorance of a definition necessarily made the idea a simple one, or their incapacity of giving a proof necessarily constituted the proposition an axiom! * * * * Well may Oxford, well may Cambridge make their boast, and call us, as they do, 'their Silent Sister'! Shamefully indolent as we are, the reproaches of these might rouse us—seats of a confined

and monkish learning, shall they produce wits, and poets, and orators, while the only seminary for the education of gentlemen in Europe is barren of these fruits? Forbid it glory! Forbid it patriotism! Forbid it shame! That the soil which reared a Burke, the soil which produced an Hussey, should cease, on a sudden, that fertility from which fame had fondly promised herself to gather for futurity the richest present she ever made it."

Prophetic words! Already were bursting into light such a harvest of talent as cast all that had gone before into the shade, and fame indeed gathered a rich present, when she wreathed together, in a garland of glory, such names as Grattan, Curran, Plunket, Bushe, and Moore! Among those who had been members of the Society, up to this time, may be reckoned—William Burroughs, afterwards a Baronet, a member of Parliament, and a judge in India; Edward Mayne also raised to the Bench; Saurin, afterwards Bishop of Dromore; and likewise, we believe, the future Chief Justice, Lord Downes.

The journals of the Society, unfortunately, break off here for some years. When we are enabled, once more, to resume their guidance we find ourselves in the memorable year 1782. At no period could the Society boast of possessing so many distinguished members as at this time; and, if out of doors, a Grattan and a Flood contested the palm of victory; within, a Plunket, a Bushe, and a Magee, the Emmets, and Tone divided the applause of their hearers. In those days, when the gown was the only passport the students of College required to enter the gallery of the House of Commons, and when, fresh from hearing the splendid orations of Grattan, Flood, or Curran, they came themselves to discuss questions which they had heard debated in Parliament, is it to be wondered if they caught some bright inspiration, and that the germ of genius, first called into life by the dazzling eloquence of such men, and afterwards transferred to the more secluded, but not less genial, soil of The Historical Society, took root and sprang up until it could at length bear to be transplanted with safety to that wide and elevated position whence its seeds were first gathered? These were, indeed, the palmy days of The Historical Society, when it could number, among its members, Plunket—here, as ever, first in the field, every speech distinguished by that vigorous and logical eloquence which set him so high among the orators of the age: those who will not

yield to his mighty powers of reasoning, clear—strong—irresistible—are scathed and blasted by his withering sarcasm, or shrink back from those flashes of wit that relieve, like the sun-beam on the waters, the rushing torrent of his eloquence. It has been said of him, that some of the speeches he delivered in the Historical Society fully equalled, in power of reasoning, and keenness of sarcasm, anything he afterwards achieved. He was proposed a member early in 1782, by Thomas Addis Emmet : while he continued in the Society he exerted himself frequently, having received, successively, medals for Oratory and Composition, and having closed the winter session of 82' with a speech from the chair, an honor reserved for the best speakers in the Society : this speech has, unfortunately, not been preserved in the journals.

With his name the mind naturally associates that of Bushe. Yes, there is Charles Kendal Bushe, the future Chief Justice of Ireland. Hear how he speaks ! With what exquisite taste does his sweet-voiced eloquence play round, and illumine, all it touches upon ! With what a glowing imagination does he picture to his hearers those topics of history which it is his lot to discuss ; and as he calls up the glorious eras of Grecian and Roman history, as illustrations and proofs of his arguments, the ages of Pericles and Demosthenes, of Tarquin, and Cicero, arise as realities before the mind's eye ! Anecdote, repartee, sarcasm, and the most brilliant wit, alternately gleam forth. His playful, winning manner, healing the wounds his wit might have left, and disarming, with smiles, the adversary whom his reasoning and eloquence had vanquished.

Grattan, on one occasion, having heard him speak at the Society's debates, was so charmed, he declared that "he spoke with the lips of an angel." And Brougham, no mean judge it will be allowed, observes, of Bushe, that—

"His merit as a speaker, was of the highest description. His power of narration has not perhaps been equalled. If any one would see this in its greatest perfection he has only to read the inimitable speech on the Trimbleston cause—the narrative of Livy himself does not surpass that great effort. Perfect simplicity, but united with elegance ; a lucid arrangement and unbroken connexion of all the facts ; the constant introduction of the most picturesque expressions, but never as ornaments : these, the great qualities of narration, accomplish its great end and purpose, they place the story and the scene before the hearer or reader, as if he witnessed the reality. It is unnecessary to add that the temperate, and chaste,

and even subdued tone of the whole, is unvaried and unbroken, but such praise belongs to every part of this great speaker's oratory. Whether he declaims, or argues, moves the feelings or resorts to ridicule and sarcasm, deals in persuasion or invective, he never is for an instant extravagant. We have not the condensed and vigorous demonstration of Plunket; we have not those marvellous figures sparingly introduced, but, whenever used, of an application to the argument absolutely magical,* but we have an equal display of chastened abstinence, of absolute freedom from all the vices of the Irish school, with perhaps a more winning grace of diction; and all who have witnessed it agree in ascribing the greatest power to a manner that none could resist. The utmost that partial criticism could do to find a fault was to praise the suavity of the orator at the expense of his force. John Kemble described him as 'the greatest actor off the stage,' but he forgot that so great an actor must also have stood highest among his Thespian brethren had the scene been shifted." †

Such was Bushe in after life, and such he was in the Society. But we must not dwell longer on these two brightest names in the calendar of The Historical Society; others claim our attention, and among the first is Peter Burrowes, in whom kind-hearted good humor, and simplicity of manners, were united to talents of a very high order. The associate of Curran in the trials that followed the melancholy outbreak of 1798, he shared with him in the arduous, and even dangerous, task of defending the state prisoners; and with an eloquence, only surpassed by his more distinguished colleague, struggled manfully, if in vain, for their acquittal. Many stories are told of the utter abstraction of mind into which he was wont to fall; on one occasion, his brother barristers found him standing with an egg in his hand and his watch boiling on the fire! But it may be safely stated, that in the Society he equalled, if not surpassed, those distinguished contemporaries of his who afterwards outstripped him in the race for fame and distinction. His constant good humor, and ready fund of information, were of the greatest service; often giving him the advantage in the discussions in

* Lord Brougham quoted, in illustration of this, that beautiful figure Plunket made use of when speaking of the Statute of Limitations—"If," said he, "Time destroys the evidence of title, the laws have wisely and humanely made length of possession, a substitute for that which has been destroyed. He comes with the scythe in one hand to mow down the muniments of our rights; but in his other hand the law has placed an hour-glass by which he metes out incessantly those portions of duration which render needless the evidence that he has swept away."

† See Memoirs of Bushe and Plunket, with specimens of their eloquence, in IRISH QUARTERLY REVIEW, Vol. III. No. 9, p. 51. Vol. IV. No. 13, p. 142.

which he was engaged; and, when roused to his greatest efforts, he is said to have fully equalled any speaker in the Society. He was Auditor in 1779, and received the marked thanks of the Society for his conduct while in office; he also obtained the medal for Oratory, on the largest number of returns that had been received up to that period.

Another star, who illumined The Historical Society about this time, was Temple Emmet. His was a very different character from either of his brothers; sharing, indeed, with them the talents which they all possessed, but not perverted by those mistaken views that drove the one into exile, and brought the other to the scaffold. United to the most brilliant talents he possessed an extraordinary memory. It is related of him that, being in the chair on one occasion when History was about to be examined, it having been found that the books were mislaid, he went through the whole examination with extraordinary accuracy, much to the disappointment of some who had calculated on no examination under such circumstances. His oratory was of the most flowery and imaginative kind, in fact it was poetry stripped of its rhyme. Sensible of this, he is said to have laid before his friend, Peter Burrowes, a speech he was about to deliver from the Chair, that he might prune away some of this redundant imagery; but Burrowes found it impossible to do so without entirely altering it—it was all poetry. "One passage Mr. Burrowes used to repeat with great earnestness and animation—'America! America!—the land of arts and of arms, whence that Goddess Liberty was wooed and won, and twelve young eaglets, springing from her nest, bore freedom upwards on their soaring wings!' The whole was in this style, and Burrowes returned it, being unable to comply with the wishes of the speaker."*

His untimely death, lamented, as it was, by all who knew him, affected none more than his early associates. Mr. George Miller, in his speech from the chair of the Society, thus alludes to him—"Even now the well earned applause of this assembly is not confined within these walls. We have seen it give an early celebrity to the abilities of a man, who, in his short but honorable career, adorned the profession of an advocate with the brilliancy of genius, and the varied, erudition of the scholar."

* "Grattan's Life, By his Son."

His brother, Thomas Addis Emmet, was also a member of the Society, in which he highly distinguished himself. Originally intended for the medical profession, the death of his eldest brother changed the whole course of his life, and, by the advice of Sir James Mackintosh, he resolved on going to the Bar. In the Society, although his oratory was divested of that high coloring and overflowing imagination that characterized the harangues of his brother, it was distinguished for closer reasoning, and a deeper insight into those topics of modern politics that were almost universally the subjects of discussion in the Society at this time.

Another of the revolutionary leaders, also a member of the Historical Society, was Theobald Wolfe Tone. He was elected Auditor in 1785, and long afterwards retained a recollection of the honor thus bestowed. In his *Autobiography*, he writes, in referring to his College career; "As it was, however, I obtained a scholarship, three premiums, and three medals from the Historical Society, a most admirable institution, of which I had the honor to be Auditor, and also to close the session with a speech from the chair, the highest compliment which that Society is used to bestow." The good opinion thus entertained by Tone towards the Society was reciprocated. On quitting office, a Committee, of which Magee was a member, voted him their marked thanks for "his very faithful and attentive discharge of the duties of that office." And on being robbed of the three medals he had obtained from the Society, it was moved by Plunket, and seconded by Magee, that he should be presented "with three medals in the place of those which he has been robbed of, as well to testify our respect for so valuable a member, as because we would wish to perpetuate the proofs of our own discernment."

But not alone was the future bar of Ireland represented in the Society, some of the brightest ornaments of the Irish Church were also among its most distinguished members, of whom we may mention Magee, Graves, Miller, and Cæsar Otway. Magee's early success in the Historical Society gave fair promise of that eminence as a preacher to which he afterwards attained. Kirwan alone could be put in comparison with him in the pulpit, but neither clashed with the other. Kirwan's style was the most florid and imaginative,—he was the Grattan of the Church, dramatic to the highest degree. Whereas Magee's mind shone out in his oratory; and, calm,

clear, and convincing, he did not hurry his hearers away by a mighty flood of imagery and rhetoric, but bore them to the conclusion to which his efforts tended, of their own free will, as, convinced, they assented to what he urged. In the Society he was a worthy colleague of his friend and associate Plunket; and on leaving it, to enter on the Fellowship he so honorably obtained, he bore with him that regard for the Society that he ever afterwards bestowed upon it, and which would have saved it if he had obtained the Provostship, an event at one period expected.

Beside his name we may place one that reflects equal honor on the Society and the University which it respectively adorned, we mean Richard Graves; and although the severe studies necessary to the attainment of the Fellowship he so soon gained, precluded him from aspiring to the highest honors of the Society, yet the impression left by his efforts there were such, that had he devoted himself to the Senate or the Bar, those who had a right to judge, declared he might have obtained the highest distinction.

But we have lingered already too long among these remarkable men who adorned the Society at this, its brightest and most flourishing period, and must pass over the names of Otway, and Miller, afterwards Professor of History, and a host of others, who fully justified, in their future course of life, the honors which the Society bestowed on them.

The excitement of the times when Ireland started into new life, and when all thought that, in the independence won by Grattan, had commenced an era of glory for their country, was not confined to the more mature minds and reasoning of parliamentary debators; the flame lit up at the same time the more excitable minds of youth, and is reflected in the topics discussed in the Society at this time, among which we find such questions as, "Whether the British ought at Present to have Recourse to Extremities in Procuring a Change of Men and Measures?"—"Whether an act Declaratory of the Rights of Ireland would be at Present for its Advantage?"—and, "Could Ireland Exist as a Free State, Independent of any other Nation?" in which question we find Thomas Addis Emmet taking part on the negative side: and again, "Whether Ireland, if Refused the Lately Demanded Constitutional Equality, would be Justifiable in Breaking off her Connection with Great Britain?" No one attempted to take the negative side on this question, which passed unani-

mously in the affirmative. Another question debated was—"Ought Property to be considered as a Necessary Qualification in a Member of Parliament?" in which Tone advocated the conservative view. But the members of the Society did not confine their exertions in modern politics only to speaking, but took up a question which had been for some time agitated, namely, "Whether Students could Vote at the Elections for the City of Dublin in Right of their Chambers in College?" and laid a case before Fitzgibbon, afterwards so well known as Earl of Clare, who returned an answer in the affirmative as to their right. A vote of thanks having been passed to Mr. Fitzgibbon for his particular attention to the Society, he returned the following reply:—

"Gentlemen of the Historical Society, I am to return you my warmest acknowledgments for your very flattering Resolution, with which I have just now been honored. Bound to the University by the strongest ties, I shall always be happy to be called upon in her service. My particular thanks are due to the gentlemen whom you have deputed, for the very handsome manner in which they have communicated your Resolution to me. I have the honor to be, &c. &c.

John Fitzgibbon."

The spirit of the Society may likewise be gathered from an order to the Librarian "to procure ten copies of Mr. Grattan's speech on the 16th of April, 1782, in which the Rights of Ireland are so ably asserted:" and again we find a resolution passed, "That a Poem signed Brutus, containing very unjust and scandalous abuse of the Volunteers of Ireland, and also the most unjust calumny of several respectable private characters, be burned by the hands of the Porter in the presence of the Society."

Laurence Parsons, Esq., afterwards Earl of Rosse, and at the time Member of Parliament for the University, was elected Auditor for the year 1783. He was not the only member of Parliament who was at the same time a member of the Society, for we find subsequently Mr. John Maxwell obtaining leave of absence during the sitting of Parliament.

A Committee was formed at this period to take into consideration the expediency of admitting the Members of the Speculative Society of Edinburgh into the Historical Society, on presenting proof of their belonging to the former.

The Speculative Society was founded in the year 1764, and has continued ever since, numbering among its members almost every name of celebrity that has adorned the annals of Scotland during that period. Strangers are not admitted to the debates, but members are allowed to continue, as such, long after they have entered on the more serious occupations of life, regular attendance not being required of them. Many of the most distinguished residents in Edinburgh have continued actively connected with the Society for upwards of ten years. The number of members is limited; formerly it was fixed at twenty-five, and it cannot at present exceed thirty, differing in this from the Historical Society, which admits an unlimited number.

To enumerate the distinguished men who have, from time to time, adorned the Speculative Society by their talents and eloquence would exceed our limits. We need only mention such names as Dugald Stewart, Walter Scott, Jeffrey, Francis Horner, Lord Kinnaird, Lord John Russel, Lord Henry Petty, now Marquess of Lansdowne, Sir James Mackintosh, John Wilson (Christopher North) and Benjamin Constant, to show what a distinguished company the Speculative Society could boast. Of Scott, who acted as Secretary for some years, Jeffrey writes—"His constant good temper softened the asperities of debate; while his multifarious lore, and the quaint humour which enlivened its display, made him more a favourite as a speaker than some whose powers of debate were far above his. I remember being struck, the first night I spent at the Speculative, with the singular appearance of the Secretary, who sat gravely at the bottom of the table, in a huge woollen night cap, and when the President took the chair, pleaded a bad toothache as his apology for coming into that worshipful assembly in such a portentous machine." He read that night an essay on ballads, which so much interested Jeffrey that he requested to be introduced to him. Having called on him next evening, he found him "in a small den on the sunk floor of his father's house, in George Square, surrounded with dingy books." Such was the commencement of an acquaintance which, by degrees, ripened into friendship between the two most distinguished literary men Scotland produced in their time.

Sir James Mackintosh, in recalling his youthful days, thus speaks of his contemporaries at the Speculative:—

"Upon the whole they were a combination of young men more

distinguished than are usually found in one University at the same time, and the subsequent fortune of some of them, almost as singular as their talents, is a curious specimen of the revolutionary times in which I have lived. When I was in Scotland in 1801, Constant was a Tribune in France, Charles Hope Lord Advocate, and Emmet, his former companion, a prisoner under his control !”

It may well be supposed that the debates of this Society were worthily carried on, when such men as these we have mentioned were brought together. Lord Cockburn, in his *Life and Correspondence of Jeffrey*, writes, “It has scarcely ever fallen to my lot to hear three better speeches than three I heard in that place, (the Speculative Society,) one on National Character, by Jeffrey ; one on the Immortality of the Soul, by Horner ; and one on the Power of Russia, by Brougham.”

Jeffrey preserved to the last the liveliest interest in the proceedings of the Society. We will perhaps be pardoned if we quote part of an address delivered by him on the 70th anniversary of the Institution ; applying, as his remarks do, not alone to the Speculative, but to all debating Societies : “For my own part,” he said, “on looking back to that period when I had experience of this Society, I can hardly conceive anything in after life more to be envied than the recollection of that first burst of intellect when, free from scholastic restraint, and throwing off the thralldom of a somewhat servile docility, the mind first aspired to reason for itself, and half wondering at its own temerity, first ventured without a guide into the mazes of speculation, or tried its unaided flight into the regions of intellectual adventure, to revel uncontrolled through the bright and boundless realms of literature and science. True it was, that all those hopes were not realized, that those proud anticipations were often destined to be humbled ; but still, could it be doubted that they were blessings while they lasted, and that they tended to multiply chances of their being one day realized.” “I am afraid,” he continued, “I am detaining you, but I could not avoid stating what had been so long familiar to my own mind respecting institutions of this kind, which I consider, under proper guidance, calculated to develop the seeds of generous emulation, and trace the outlines of that permanent and glorious triumph to be achieved in after life.”

But to return to The Historical Society. The Committee that had been formed adopted a series of resolutions by which it

was determined that the members of The Speculative should be held in the light of privileged members of their Society, on presenting a certificate of membership.

Among the members of The Historical Society who availed themselves of this arrangement we may mention Thomas Addis Emmet. In the unfortunate year 1798, we find the following resolution passed in The Speculative Society:—

“The Secretary, Mr. Waugh, moved, and was seconded by Mr. Henry Brougham, that as Thomas Addis Emmet has acknowledged himself a member of the Executive Directory of the Irish Union, and has confessed himself privy to the carrying on a treasonable correspondence with France, his name should be erased from the List of The Speculative Society. Carried Unanimously.”

On the occasion of Mrs. Siddons' visit to Dublin, the members of The Historical Society, to show their appreciation of her matchless talents, presented her with a splendid copy of the Oxford Edition of Shakespeare's Plays.

It was at this time (1784) that Bushe joined the Society. He was chosen to close the Summer Session of 1785 with an address from the Chair, and thus endeavours to combat the prejudice against prepared speeches:—

“I fear that many have been led astray by a prepossession against prepared speeches, and, from a principle of false shame, are unwilling to have it supposed that their very best exertions, and those in which they have most succeeded, could have given them any trouble in the preparation. Where this proceeds from indolence or pride, I should recommend it to him who is too indolent or too proud to prepare himself for an oratorical exhibition, to give up all hopes that he will ever arrive at excellence in public speaking.—For what can be more absurd than to suppose that in a public speech, the nature of which is to exhibit the subject in every light it can admit of, a man can treat a question admitting of a variety of considerations, (though perfectly unprepared for its discussion) in as able a manner as if the composition had been the result of mature thought and accurate preparation.

“The necessity of arrangement in oratory presents another obvious objection against what is called speaking extempore. For, except to very experienced speakers, the due disposition of the material of a speech is utterly inconsistent with want of preparation.It was by a contempt for such an affectation that the great and eloquent exertions of the ancients have immortalized names which otherwise we never had known, and preserved subjects which but for them would have slept in oblivion; and the man of genius, while he glows with the nervous strain of Demosthenes, almost rejoices that *Æchines* was a traitor and Phillip a tyrant. The friend of liberty

and mankind weeps at the fall of Athens, but the friend of literature finds comfort in the reflection that this Phoenix of eloquence rose from her ashes.....I shall now conclude with expressing my most anxious hopes, my most ardent wishes, that this Society, instituted by the youth of the Irish Nation for the advancement of useful and ornamental knowledge, and the encouragement of every noble passion of the human mind, may long, nay ever, continue to be the honor of its founders, the pride of its members, and a public benefit to their country."

Early in 1785 an event took place in Dublin, which, though common enough in the present day, was a great novelty at the time, we mean a balloon ascent. The gardens which were open at the time at Ranelagh were selected for this, the first, ascent in Ireland. The Duke of Rutland, then Lord Lieutenant, honored the adventurous æronaut with his presence: all was expectation when the hero of the day took his seat in the balloon, but alas! when the cords were cut, the balloon refused to rise. The weight of the æronaut was too much for it; disappointment appeared in every face, as it swayed about from side to side, looking all the more helpless from the previous expectations it had excited. But the assembled company were not doomed to disappointment: a student of the University, who had been an attentive observer of the whole proceeding, offered his services, and though it was the first time that he had ever seen a balloon, he made a most successful voyage. The Lord Lieutenant was so much pleased with his conduct that he knighted him on the spot, amidst the cheers of the company; and The Historical Society, of which the newly dubbed Knight, Sir Richard Maguire, was a member, unanimously voted him a medal to testify their appreciation of his intrepid conduct.

There must be an interruption again in the continuity of our notices of the Society, from the loss of another volume of the Journals. When we can once more avail ourselves of their guidance, although we miss the names of Plunket, Bushe, and the other distinguished men of whom the Society could boast a few years back, yet there is still presented an array little inferior. Among the members of the Society, at the time of which we write, were many who afterwards adorned the episcopal and judicial bench. Of the former we may mention Kyle, afterwards Provost, and Bishop of Cork; and sometime subsequently, the excellent Bishop Jebb: while of the latter were the present Chief Justice Lefroy, the Pennefathers, Jebb,

and Torrens. Lord Caulfield, the Hon. Mr. Bourke, and John Latouche, afterwards M.P. for Dublin, were likewise members.

In November, 1798, the Society appears in a new light, when it was voted—"That one hundred flannel waistcoats be granted by The Historical Society for the use of the British army in Flanders."

But, unfortunately, neither the distinction of her members, nor their patriotism, could preserve the Society long from a collision with the Board, when the guardian spirit which watched over the former was withdrawn. Hutchinson, at this time, was in England, suffering from ill health, from which he never recovered; and it may be conjectured that the Board did not look at all more favorably upon the Society from its having been fostered by the Provost, with whom they had carried on a petty war ever since he had attained that position. The members of the Board could not, moreover, be expected to entertain that sympathy for the Society which they might have felt if it had existed in their young days, and if they had received a part of their education through its means.

Be this as it may, the dispute was not long delayed, and Mr. Miller, the then Junior Dean, must be considered the chief mover in the matter. One evening during the long vacation, when most of the members of the College had dispersed, he perceived an hackney coach drive into the square, and three young men, whom he recognized, alighting from it, accompanied by, *horribile dictu!* two females. This was too much for the good Dean, and he at once laid the affair before the Board. The authorities being naturally much displeased, issued an order excluding the delinquents from the precincts of the College.

On the re-assembling of the students for the winter, and the resumption of the meetings of The Historical Society, the Dean, as an ex-officio member, happening to attend, perceived one of those who had been excluded in the room, whereupon he requested the auditor to have the offending party removed; he then appealed to the Chairman, but neither of them was willing to exert his influence or authority: applying then, personally, to the gentleman himself, he retired rather than involve the Society in a dispute with the authorities of the University, and thus it was thought the affair would have ended. But the dispute was not allowed to rest here: the Society, imagining its independence invaded, appointed a Committee to investi-

gate the affair. Mr. Miller, hereupon, conceiving this as tantamount to an inquiry into his conduct as Dean, and thus overthrowing all discipline and rule, laid the affair before the Board; and that body, not sorry for an excuse to bring the Society, hitherto more independent than they thought agreeable, under more direct control, published a code of rules which, among other commands, forbade any one to continue a member of the Society whose name was no longer on the College books, and ordered that the name of the proposer of the inquiry into the Dean's conduct should be erased from the list of the Society.

To this message a Committee of the Society returned an answer, explaining their conduct with regard to the inquiry; alleging that the Board was mistaken as to its object, which was merely to discover the reason of a member being forced to retire from their meetings, and hoping that the Board would not insist on the name of the proposer being erased from the books; the Committee also pointed out the ruinous effects of the order for the exclusion of the extern members, as destructive to the prosperity of the Society, and hoped that the Board would reconsider the question.

Upon receipt of this answer the Board declared that they were more than ever convinced of the impropriety of the extern members being still allowed to attend the meetings of the Society, and ended by resuming possession of the rooms where the Society had been accustomed to assemble; offering, however, the use of them to any of the students who might choose to meet subject to such restrictions as the Board should think proper to prescribe.

The Society, upon this, adjourned to the Assembly Rooms, in William-st. In this room an address was drawn up and sent to the Provost, in which, after detailing the particulars of the dispute from the first, they thus conclude:—

“Thus exiled from the University, the Historical Society cannot prevail upon themselves to bid a melancholy farewell to a place, where their institution has flourished four and twenty years, without offering the humble tribute of their gratitude for the kind protection with which you have so long honored them. Anxious for the continuance of your good opinion, they wish to impress upon your recollection, that they have always observed the highest respect for the heads of the College; that the concessions which they have offered proceed as far as is consistent with the spirit of gentlemen, and the

honor of a Society which aspired to your protection, and that they have never abused that freedom in their general constitution which is, perhaps, as necessary to the utility and character of such an institution, as it is incompatible with the control attempted to be exercised by the Board. To your judgement the Historical Society submit how far a separation from the College may effect the cause of polite literature, the existence of their Institution, and the interests of the University committed to your charge."

The Society does not appear to have received any answer to this address, which we may account for by the illness of the Provost, who died early in the following September. In him the Society lost one of her warmest supporters, who might have prevented the secession from College had he been at his place at the Board.

The death of this extraordinary man whose importunities for place are so well known, is thus noticed in a contemporary paper. "September 5th, in Dublin, aged 79, Right Hon. John Hely Hutchinson, principal Secreatay of State for Ireland, one of the Most Honourable Privy Council of that Kingdom, M.P. for the city of Cork, Provost of Trinity College, Dublin, and L.L.D. He was also Major of the 4th Regiment of Horse, and Searcher, Packer, and Gauger of the Port of Strangford"! His appointment to the majority of the fourth regiment is thus related: "Lord Townsend, seeing him one day toddling up the drawing room of the Castle in some apparent impatience, exclaimed to Sir John Blaquiere, 'See, see, here comes the Prime Sergeant; is there anything vacant?' 'Nothing that I know of,' replied Sir John 'but a majority in a cavalry regiment.' 'Oh well, give it to him—give it to him at once; to stop his mouth.' The Provost actually departed a Major of Dragoons, and sold out next morning!"

The Society testified their recollection of him by offering, on the motion of Bushe, a gold medal for the best composition to be sent in in honor of his memory.

The Board now carried their hostility still further, and published a decree forbidding any student to attend any meeting outside the walls, held for the purpose of debate. The Society on this laid their case before the visitors, complaining of the decree forbidding any student from attending their meetings; and praying them to consider whether the severest collegiate censure should be inflicted on such students as attended a Society having their improvement for its only object. This contest excited considerable attention, and was sympathized in, not only by those members who were present, but

also by those who, though scattered abroad in England, and elsewhere, still retained that affectionate regard towards the Society which we might expect from those who had experienced its benefits, in first calling forth their talents, and affording such opportunities for their display.

The members of the Society then resident in London called a meeting at the Crown and Rolls, Chancery Lane, and drew up an address, thanking the Society for the manly stand that had been made, and offering their assistance in any way that might be deemed useful during the struggle. But not alone from those who had been formerly members did expressions of sympathy and encouragement come; for, on laying before the Speculative Society an account of their dispute with the Board, they received the following reply:—

“Gentlemen, the Speculative Society of Edinburgh conceive themselves highly indebted to you for your friendly communication of the 21st Jan., 1795, which they have ordered to be inserted on their Records. They do not fail to meet with equal warmth the obliging expressions of esteem and regard which that letter contains, nor to take the deepest concern in whatever regards the interests of an Institution, their amicable connections with which they so highly value.—As this connection is founded on the basis of their common literary pursuits, the Speculative Society conceives that it subsists independant of the private regulations by which each Institution is governed, and ought not, therefore, to be affected by such changes in those regulations as either may find it convenient or proper to adopt. As, therefore, the Speculative Society do not conceive that the original compact of 1783 is in any degree affected by the circumstances announced by the Historical Society, they beg leave to assure you that they consider it as subsisting in its original force, and will be happy to receive with all usual privileges such members of the Historical Society, bringing with them proper certificates, as may favor them with their attendance during their residence in the City of Edinburgh. In obedience to an unanimous resolution of the Society, dated the 17th current, we have the honor to subscribe ourselves, Gentlemen, your most humble Servants,

F. Jeffrey, President,
Walter Scott, Secretary.”

But the sympathy of friends was not confined merely to civil speeches and resolutions. One of the former members, Mr. Evans, informed the Society that a considerable sum of money was at their disposal, if the circumstances of the Society demanded it. This offer was thankfully declined.

The College Board did not stand tamely by while the Society

thus proceeding independent of their support, as we may gather from the following resolutions :—

“Resolved, that the late public admonition of Lewis Kerr, Esq. our worthy auditor, by the Board, for discharging a trust reposed in him by the Society, appearing to us a continuance of the unmerited persecution exercised by the Heads of the College against this Society; we are determined to support him if he should deem an appeal to the visitors an expedient measure, and that we do hereby empower him to draw upon our Treasurer from time to time for such sums as may be requisite for that purpose. Resolved, That the warmest thanks of this Society be presented to Lewis Kerr, Esq., our worthy auditor, for his temperate, manly, and firm conduct when called before the Board for presenting the address of this Society to that Body.”

While the dispute thus went on it was not confined to decrees on one side, or resolutions on the other; the Press was called in to the aid of the belligerent parties, and squibs of every kind appeared; now it was a farce, now a burlesque poem or satirical song; at one time the language used was Greek or Latin, at another the vernacular tongue was laid under contribution. From among these various efforts of wit, and satire we select one, quoted by Madden in his *Life of Emmet*, in which grave humor and bitter irony are conspicuous—

“At a full meeting of the Vintners, Publicans, and Courtezans, in the City of Dublin, held the 1st of May, 1794, Mrs. Margaret Leeson in the chair. Resolved, 1st. That the thanks of this meeting be presented to the Vice Provost and Senior Fellows of Trinity College, Dublin, for their public spirited suppression of the Historical Society.

“2ndly. That the said Society has considerably injured our respective trades, by employing the Gentlemen of the University (formerly their best customers) one whole evening in the week in literary pursuits, and wasting many other evenings in preparation for it.

3rdly. That the kind interference of the College must cause the custom of the College to return gradually to us, and the time of the young gentlemen to be more profitably employed, than in the pursuits of the said Institution.

“That the Provost and Senior Fellows be made free of our Society, and that the freedom of the same be presented to them in a quicksilver box.

“Mrs. Leeson having left the chair, and Mrs. Simpson being called thereto, Resolved—That the thanks of this meeting be given to Mrs. Leeson for her very proper conduct in the chair. Signed by order,

Catherine Grant, Secretary.”

But we will not dwell any longer on this dispute. It is painful to find a body of men, distinguished by learning and talents, engaged in this petty and unnatural warfare with those who were placed under their control for guidance and instruction.

Bushe was chosen to deliver the customary speech on the first meeting of the society after their separation from the University. For this speech, we refer our readers to Mr. Phillips' *Specimens of Irish Eloquence*: for purity of style and vigor of thought it may be set beside any afterwards delivered by its distinguished author.*

The Society continued to meet for a considerable time after this separation; but, as the members dropped off, and as the Society established in the University as its successor increased in fame, the original Society declined gradually, until, in 1806, a meeting was called, at which it was resolved to hand over the Journals and other property to the Intern Society, whose career it will be our object now to follow.

In our next number we shall present the Second, and concluding Era, of The Historical Society of Trinity College, Dublin.

ART. IV.—FRENCH LIFE IN THE REGENCY.

1. *Le Chevalier D'Harmental*. Par Alexandre Dumas, 3 Tomes: Paris.
2. *La Régence*. Par Alexandre Dumas, 2 Tomes: Paris.

Though our business, in the present paper, is chiefly with the court of the Regent, Philip of Orleans, we commence a little higher up in the course of European history, that our readers may have a clearer perception of the relations in which the characters to be introduced stand towards each other. Philip of Austria having espoused, in 1496, Joanna of Spain,

* See the most brilliant portions of this address, inserted in *IRISH QUARTERLY REVIEW*, Vol. III. No. 9, to p.p. 58 to 61, Art. "Charles Kendal Bushe."

daughter and heiress of Ferdinand and Isabella, became, in her right, possessor of Castile and Aragon. At his death his son, Charles V., inherited the Netherlands and Spain, was crowned Emperor in 1520, and afterwards annexed Milan to his possessions. At his abdication he resigned the Empire to his brother Ferdinand I. of Austria, and gave Spain and the Low Countries to his son Philip II., who afterwards became the husband of Mary Tudor. To this latter monarch succeeded, in turn, his son, and grandson, by the respective titles of Philip III. and Philip IV.

Louis XIV. while still in full enjoyment of all the pleasures which youth, power, and riches are supposed to afford, took to wife Maria Theresa, daughter of this Fourth Philip of Spain, renouncing for himself and issue all claims to the succession of the monarchy of that Kingdom. Leopold, Emperor of Austria, successor in direct line to Ferdinand I., was united to Margaret, another daughter; and the Elector of Bavaria, at a latter period, was married to the only daughter of this last named imperial couple. Charles II. succeeded his father, Philip IV., in 1663; he married Marie Louise, daughter of Philip of Orleans and Henrietta Maria of England, and died, in 1700, without issue, and thus ended the Austrian line of Spanish Sovereigns. The son of the Elector of Bavaria had been named his successor, as a selection of one of the children of Louis or Leopold would, in its probable results, create a power too formidable to the peace of Europe. The early death of this young prince, however, made a choice between two great evils necessary, and the agents of the French and German Courts, by their cabals and intrigues, sufficiently embittered the last hours of Charles. Count Harrach, the Austrian Envoy, was not esteemed at the Court, owing to his peculiarly unprepossessing manner and character, and the want of liberality on the part of his master; whilst Harcourt, the French Plenipotentiary, was supplied with ample funds for any occasion that might arise, and was, moreover, a favorite, from his good nature, liberality, and agreeable demeanour. The French interest prevailing, Philip, Duke of Anjou, son of the Dauphin Louis, and, consequently, grandson of the Grande Monarque, was named successor, and ascended the throne on the demise of Charles II. The death of James the Second of England, occurring about this time, and Louis appearing to favor the rights of his son, who now assumed the title of James III. King of Great Britain, William

III. of England, naturally felt uncomfortable, and formed with the Dutch and the Austrian Emperor, what was called the Grand Alliance,—the object being to set the Spanish crown on the German Prince's head, and thus keep the French power within reasonable compass. The death of William, the next year (1702) was a happy event for France, and for Philip, but Portugal joined her arms to those of their enemies, and the forces of England, Holland, Austria, and Portugal descended on the devoted Peninsula. The Marquis de Ruigny (Lord Galway) who had figured at Aughrim, Sir James Stanhope, and the eccentric Earl of Peterborough (the latter in the capacity of Volunteer) directed the operations of the English allies, in this disastrous War of the Succession, from 1702 to 1714, during which, they were twice in possession of Madrid, but were obliged to evacuate it each time by the loyal conduct of the Castilians. The Marquis Villadarias, a brave old Spaniard, deserves honourable mention for his defence of Cadiz, and other noble deeds. The bold and skilful Duke of Berwick was Philip's sword and shield during the struggle. The battle of Almanza, won by him in 1707, was one of the most brilliant successes known in modern warfare; while nothing in ancient or modern time can be compared to the obstinacy and valor of the besieged Catalans in Barcelona, except perhaps the defence of Saragossa in the late war. A descendant of Stanhope's, engaged in the Peninsular campaign of 1808, was frequently asked, by the native Spaniards, if he were a descendant of the Good Don Diego Estanop of the old war, whose just and gallant conduct had preserved his fame among them during the whole intervening century.*

* Through the entire of these wars, The 33rd, or "Duke of Wellington's Regiment," served. It was raised in the year 1702; the first Colonel of the Regiment was James Stanhope, and the first service upon which it was employed was in the war of the Spanish succession. It formed a part of a large force under the Duke of Ormonde, which was sent against Cadiz and Vido. It was one of the Regiments which formed part of the famous army under the Earls of Peterborough and Galway, in Spain, at the siege of Valentia in 1705. It was afterwards in the memorable battle of Almanza fought by the confederate army on the 14th April, 1707, under the chief command of the Marquis Das Minas. The Regiment suffered a loss of three Captains, five subalterns, and 94 men. In 1758 the Regiment, then called "Heroes," sailed as part of the expedition under the Duke of Marlborough against St. Malo; on the 1st of August it formed part of the unfortunate armament under General Blight, and was obliged to re-embark at St. Cas Bay in face of the enemy. The loss of the 33rd was considerable, including Edmond-

Peterborough's memory is indeed endeared to us by his dashing intrepidity, and unselfish zeal for the cause to which he was united, and the generous protection he showed on so many occasions to the vanquished. But we must record an unworthy act of his towards one of our countrymen, a Count Mahoni, in the service of Philip. In a conference which he held with this gentleman, to whom he was related by intermarriage, he strove to induce him to come over to the Allies, but the loyal Irishman though rather too frank and cordial on the occasion, held stoutly to his duty.—Peterborough immediately afterwards conveyed to Mahoni's superior officer secret information of his alleged treachery to his party, and confirmed it by the information of pretended deserters.—Poor Mahoni was, in consequence, arrested and degraded, but in the end, after a world of annoyance and trouble, his good name and rank were restored. It does not appear that the contriver of his disgrace made any exertions to repair the mischief he had done.

Leopold died in 1705, Joseph his son and successor in 1711, and Charles. VI. Joseph's brother assisted in person during the greater part of the war of the succession : a medal was struck and extensively circulated at the time, bearing the inscription—*Chas. VI. by the Grace of the Heretics Emperor, &c.* Ruvigny, who commanded the British Auxiliaries, being a Frenchman by birth, and the French and Spanish forces being led by Berwick, natural son of James II, the Frenchman had frequently to restrain his feelings while listening to his own officers drinking the health of his great opponent, under the title of the *British Commander*, as the quibble would effectually justify the toast if he showed any resentment.

stone, an officer distinguished for his gallantry and bravery. In 1794 the Regiment, then commanded by Lieutenant Colonel Wellesley, afterwards Duke of Wellington, embarked at the Cove of Cork for India.—The Regiment continued in active service during the whole campaign of Mysore, and was one of the corps employed in the storm of the fortress of Seringapatam, on the 4th of May, 1799, where its loss was considerable. The 33rd, on the glorious plain of Waterloo, remained in position on the field of battle until about noon, on the 17th, when the Army began to retire from Quatre Bras. On the forenoon of the 18th the Regiment rejoined the Brigade in position. The loss of the gallant corps was as follows :—Killed—Officers, 11; Sergeants, 8; rank and file, 247. Wounded—Officers, 26; Sergeants, 14; rank and file, 203. The detachments of this gallant corps sailed from Kingstown, to join the Regiments at Malta, for service in Turkey, on the morning of Tuesday, March 28th, 1854.

Philip, Duke of Orleans, afterwards Regent, bore a trifling part in the war, as did the Duke of Vendome, grandson of Henry 1 V. This last commander, who presented in his own person an exaggeration of the failings and defects of his grandfather, had defeated the Austrians in Lombardy, and brought thence, in his train, Alberoni, the future prime minister of Philip. His treatment of the common soldiers was invariably marked by affability and kindness, but to persons of, or near, his own rank he was morose and disobliging. He curbed his natural petulance, while mixing among the *Hidalgos*, in order not to prejudice the common cause; but on one occasion, while the old Castilian nobles were signing a profession of loyalty and attachment to Philip, and marking after their names,—*Noble as the King*, he could hardly restrain his wrath. It burst forth at last, at the sight of a little variation, introduced by one grandee, which ran thus,—*Noble as the King, and even more so*. "How," said he, "is this the respect you show to the Regal line of the Bourbon?" "Pardon," was the answer, "Philip though a King and a Bourbon, is still but a Frenchman, while we are Castilians." Philip's first wife was Maria Louisa, daughter to the Duke of Savoy. Some historians dwell on his love of ceremonial, his dislike to personal exertions, and the entrusting his authority to favorites; but compared with other Sovereigns of the time he appears to considerable advantage. It is hard to blame him for taking possession of the Spanish Throne after having been legally declared the late King's successor, and though not fond of fighting for its own sake he was constitutionally brave, a devout Christian, an affectionate husband, and as good a sovereign as he could afford to be. His Queen was worthy of her exalted station and circumstances: when a necessity arose, she quickened the natural indolence of her husband, and on one occasion harangued the Cortes with such effect, as to procure a very unhopd for supply of the sinews of war.

While Spain was desolated by this unhappy strife, the leading powers were contending on the same account in Belgium, Germany, and Lombardy. France during these, and the preceding wars, suffered severe reverses at the hands of Marlborough and Prince Eugene, at Blenheim in 1704; at Ramillies, in 1706; at Oudenarde, in 1708; and by a doubtful fight at Malplaquet, in 1709; and yet, after suing unsuccessfully for peace, she was able to route 14,000 English under Albemarle in 1711, by the skill and bravery of Marshal Villars.

Queen Anne having seen the last hope of the reign of her own issue extinguished, began to feel better disposed to the accession of her brother, and of course with a better disposition to make peace with France and with Philip. Harley and Boingbroke, having secured the wand of power lately held by the Duke and Duchess of Marlborough, seconded the Queen's wishes so well that a good understanding with the French court was soon established without the consent of the Emperor or the Dutch; and Philip was acknowledged King of Spain and the Indies, on giving up his claims to the Netherlands and Italy. Holland became a party after some time, but the Emperor was not so easily won over.

Louis having now reigned about seventy years, and having led a very "fast" life in his youth and manhood, for which we may charitably hope he felt real contrition towards the decline of his years, and now at the close, seeing a prospect of peace and rest to his worn out realm, had the grief to witness the death of Lewis, the Dauphin, in 1711, and the death of the Dauphin's eldest son, the amiable and virtuous Duke of Burgundy, next year; and in three weeks afterwards, the death of this prince's eldest son, the Duke of Brittany. There now remained only the Duke of Anjou, a sickly infant of two years old, as presumptive heir, and in case of his failure, Philip of Spain would be the Sovereign of the two great Kingdoms.

Louis, in his Will, had appointed the Duke of Mayne, (his son by Madame de Montespan) Regent of the kingdom, and guardian of Louis XV. He had previously attempted the impossible by *legitimizing* this Prince and the Duke of Tholouse, another of his bastards. He expired in 1715, and his funeral cortege to the Church of St. Denis was unattended by a single member of his own family. There was even a sort of fair held on the plain adjoining the Royal sepulchre at the expected period of the funeral, with the simple intention of offering every indignity to his remains. Doubtless the unceasing warfare of his long reign had inflicted misery, and ruin, and grief, incalculable on his subjects,—but this might have been overlooked but for the devotion of his latter years, and the consequent restraint and forced semblance of piety which his licentious court was obliged to assume. In the first assembly of Parliament after his death, the will was superseded by the address and vigor of the Duke of Orleans, his nephew. Orleans was appointed Regent, and the

Marquis Villeroi, a pompous nobleman who enjoyed the privilege of having lost every battle in which he had commanded, obtained the personal charge of the Royal Infant.

The Duke of Vendome, who has been already mentioned, was conducting the Italian war against Eugene in 1705, with great credit to the French arms. The Duke of Parma at this time had occasion to send to him one of his Council, the Bishop of St Domino, to pray him to moderate the intensity of his exactions on his territories. Vendome, at the period of the envoy's arrival, was employed innocently enough, but neither the accompaniments, nor the locality, were well adapted for the reception of strangers. The Bishop was somewhat put out of countenance by the *mise en scene*, but not wishing to prejudice his master's affairs, he appeared not to be aware of any thing unusual, but, enquired after the Ducal health. "All right" was the reply. "Indeed your Grace's countenance" (one adorned with many carbuncles) "seems at present rather flushed." "Bah! that is nothing to another region of my body;" and he was about to give a visible and very unnecessary proof of the truthfulness of his speech, but this was too much for the nerves of the good Prelate, and he made a hasty retreat, promising to send a more fitting substitute to transact the business, namely, his almoner, Alberoni.

Alberoni was born in the cabin of a gardener. While a boy he amused his leisure by ringing the church bell for prayers, and being grown up, he exchanged his linen frock for the clerical collar. He was of a jovial disposition, and laughed on every occasion. One day the Duke of Parma, who never laughed at all, heard him indulging in one of his boisterous cachinnations, and calling to him to know the reason, he related some ridiculous and grotesque adventure, at which the melancholy nobleman was obliged to laugh in spite of himself; and beginning to find a wonderful benefit from the risible exercise, he attached the young cleric to his own chapel, as much for the sake of enjoying his buffoonery, as for any other service. By and by, he perceived that his jester was a man of wit and judgment, and fitted to serve him in a political capacity as well as in that of a household buffoon, and to him was now entrusted the affair of winning Vendome over to amicable relations. He found the French commander occupied as before, but improved the unpromising occasion by paying a compliment suitable to the circumstances to the great chief; and being at dinner soon

after with the Duke, he took a napkin on his arm, walked down to the kitchen, and concocted such a plate of Parmesan soup, as secured the ducal stomach to his interests for ever. Our aspirant took no pains to instruct the cook in the concoction of the new dish, indeed he took special care not to impart the receipt to him at all, so that Vendome kept Alberoni about his person as much as he could; brought him to Paris, and thence to Spain, when he went thither himself to bring aid to Philip. In the solemn, pompous, and dull atmosphere of the Spanish court, the presence of such a man as Alberoni must have been considered a charm, as his entertaining qualities were fully matched by his powers in managing the wires of court intrigue. He contrived to secure the office of Envoy of Parma at Madrid, but lost his patron, the Duke, in 1712, by an over indulgence in a feast of shell fish.

The Queen of Spain died in 1714, and it was a matter of some moment to Alberoni, and to the Princess Ursino, to select a successor whom they might easily mould to their own interests. This strong minded and liberal lady just mentioned, whose exemption from moral and religious prejudices must have endeared her memory to George Sand when young, and to Lady Morgan young or old, had on one occasion opened the Government dispatches on their way to France, and found herself therein impeached of living with her secretary as his mistress, or at least of being privately married to him. In a marginal note she stoutly denied the second impeachment, but did not condescend to notice the other; resealed the parcel, and forwarded it to its destination. After having figured in the courts of France and Italy, and having released her husband from his marital obligations, she had held for some years, the post of chief Lady in Waiting to the late Queen. Chronicles relate that though now near the ripe age of seventy, she entertained some hopes of consoling the afflicted widower. Finding a serious obstacle to this design in the personal dislike shown to her by Philip, she consented to Alberoni's selection of Elizabeth Farnese, daughter of the late Duke, and niece of Francis, reigning Duke of Parma, whom he represented as a young, artless, damsel, brought up on butter and cheese, and taking no interest in any thing but needle work and embroidery. She would be allowed the empty title of Queen, but the Princess might mould her as a pat of butter into any shape befitting their common interests. Now Philip, though a meek man in his way, and never willing to use personal harshness, loved domestic quiet; and warned by

the memory of little family broils, during the life of his late Queen, and incited or encouraged by the Princess, wrote secretly to his new bride while on her journey, and advised her to get rid of Madame at once, or give up all idea of future domestic comfort. And she followed his advice to the letter. On their first interview, the Princess having gone forward to meet her, she made occasion of a quarrel, got her arrested, and conveyed in her court dress, in intensely cold weather, and in a carriage, one of whose windows was accidentally broken, first to Burgos, and then across the Pyrenees. She closed a feverish and worthless career at the little court of James III. in Rome. The day after the nuptials Philip declared Alberoni prime minister.

As the succeeding portions of this paper will chiefly have relation to the French Court, a glance at the genealogy of the Royal Family may be here appropriate. Henry IV, the first monarch of France of the house of Bourbon, traced his line from the first of the name,—Robert V., Count of Clermont, and Lord of Bourbon, youngest son to Lewis IX, the other Royal branch,—that of Valois, having ended by the deaths, in succession, of the three sons of Henry II.,—Francis II., Charles IX., and Henry III. Henry IV. left two sons,—Lewis XIII., his successor, and Gaston of Orleans. Few are ignorant of the fact, that this monarch and his Kingdom were strictly ruled by the great Cardinal Richelieu, or are unaware of the miserable plots of Gaston, from time to time, and their no less miserable failures; and of the execution of his less guilty friends and creatures, while Gaston himself got each time no more than a friendly pat on the back, and a recommendation to rusticate for a short period, and be more loyal for the future. Oh! the good old times, when little princes had whipping boys, whose suffering backs were flayed when their Royal masters were idle or naughty; and honored be the memory of your birch rod, O Great Buchanan, which, rejecting meaner proxies, smacked the Royal skin of James, the burner of witches.

One of Gaston's daughters, the Duchess of Montpensier, is celebrated by her own Memoirs, and by all the sufferings she met at the hands of her lover and tyrant, the Duke of Lauzun. Louis XIII., worn out by the control of Richelieu, and by the ennui ensuing on the recovery of his liberty at that great man's demise, died off at last, leaving issue, Louis XIV., then a child, and Philip, Duke of Orleans. Louis was

married early to Maria Theresa, daughter to Philip IV. of Spain by his Queen, Elizabeth, daughter of Henry IV. of France; consequently the young couple were first cousins.

The Dauphin, their son, who would have been Louis XV. if he had survived his father, was married to the electoral Princess of Bavaria: their children were Louis, Duke of Burgundy, Philip, Duke of Anjou, afterwards our Philip V. of Spain, and Gaston, Duke of Berry. Before the death of Louis XIV., as was mentioned, both the Dauphin and his eldest son, Burgundy, and his eldest grandson, Brittany, died in rapid succession.

One of Louis's daughters by the Duchess de la Valliere, was married to the Duke of Bourbon, Prince de Conti. The Contis, and Condés, and Charolais, being one branch of the descendants of that Robert, Count of Clermont, mentioned above, and consequently relations of the reigning family, and Princes of the Blood.

Philip, Duke of Orleans, brother of Louis XIV., was first espoused to Henrietta Maria, daughter of Charles I. of England. One of their daughters became wife of Charles II. of Spain, and another, the wife of the Duke of Savoy.

By his second wife, Eliza Carlotta, the Palatine Princess, he had Philip, Duke of Chartres, who, on his father's death in 1701, became Duke of Orleans; and on the death of his uncle, the King, appointed himself Regent, did his duty conscientiously to his Royal Ward, never punished a personal affront, composed music, made chemical experiments, spent his evenings in bad company, and withal, was never able to conquer the dreaded enemy, Ennui. Premising that the eldest son of France derives his title of Dauphin from the following circumstance, our genealogical memoranda are ended.

Humbert of Dauphiné, one of the Blood Royal, seeing himself without heirs, made over his province to Philip of Valois in 1358, on condition that the eldest Prince should ever afterwards be styled Dauphin. Charles V., surnamed the Wise, was the first who bore the title, his accession dates, 1364.

Let us return to our Regent: whatever were his short comings in other respects, he was a most affectionate and dutiful son to the Princess Palatine, who nevertheless had a rough way of exhibiting her maternal feelings. For instance, Philip being urged by the King to marry Mlle. de Blois, daughter of the Duchess de la Valliere, and at last giving a very reluc-

tant consent, his mother rewarded his compliance by a lusty slap on the cheek in the presence of the crowded court. His chief objects, from his assumption of the Regency, were to humble the pretensions of the Dukes of Maine, and of Tholouse, to whom the late King had given the *pas* over the *Ducs et Pairs*, after legitimizing them, and making them eligible to the succession, and to bring the young Louis XV. safe through his minority, and thus silence the obloquy under which he suffered of having been accessory to the deaths of the Dauphin, and his direct heirs.

Now, as in the event of the death of the infant Lewis XV., Philip V. would be the direct inheritor of the French Crown, and consequently Philip of Orleans would lose all influence, and all the interest of France and Spain would be employed to settle the Pretender comfortably in St. James's, and moreover the balance of power in Europe would be jerked out of the horizontal, it will not be wonderful to find Cardinal Dubois, the Regent's *Ami Damnée*, closeted with George I. and the Dutch Plenipotentiary in London, and entering into a strict union against the King of Spain, and his minister Alberoni.

On the other side, the Duchess of Maine, who was worth ten such as the lazy and worthless Duke, her husband, galled by his disgrace and loss of influence, is contriving to procure an autograph from Philip to his nephew Louis, requesting him to call together the States General.

The notables thus convened, being won over in the interim, are to depose the Regent, and give his office to her husband, and an identity of interest is to be established between the two countries. In aid of this manœuvre, or in case of its failure, some bold spirits were to seize on the person of the Regent, and convey him in a close carriage, on pretence of his being a gentleman of unsound mind, to some fortress in Spain, and thus save him the annoyance of witnessing the triumph of his political rivals.

So far we have sketched the political history of the period in which our author has laid his plot, and now we turn to the more immediate subject of the present paper.

If we can trust to internal evidence, and the report of French literary critics, *Le Chevalier D'Harmental*, though appearing with the name of Dumas on the title-page, is written by Auguste Maquet, his ablest collaborateur, and in fact a better novelist than his principal. With equal energy and descriptive

power, he avoids Dumas' extravagance, and takes the trouble of depending for plot, language, and incidents, on his own exertions, in preference to pillaging the brain-stores of his brother scribes.

Our hero is a brave young Nivernois Gentleman, who had just joined Marshal Villars' forces, towards the close of the reign of Louis XIV., after Tallard and Marsin had been beaten at Hochstett, Villeroy at Ramilies, and when the accomplished Villars himself was not able to command fortune at Malplaquet. Louis could neither keep up the war, nor would his enemies allow him peace on any honorable terms. He was satisfied to abandon Spain and narrow his frontiers, but this would not suffice, unless he allowed free passage through his realm to his conquerors, while marching to dethrone his grandson; and give up to their tender care, Cambray, Metz, Rochelle, and Bayonne. The poor battered old Monarch shed tears of rage in the midst of his Council, and these tears procured a fresh army.

Villars, at the head of this force, marched straight to Denain, where the enemy under Albemarle, with eyes fixed on the agony of France, had no apprehension of an attack. They had established a strong line of fortifications between Denain and Marchiennes. Villars announced publicly his intention of attacking Landrecy, but instead of doing so, he marched in the night towards the lines mentioned, flung three bridges over the Scheldt, got into the marshes where the soldiers were up to their middle in water, attacked the redoubts, carried them, arrived at Denain, passed the fosse, penetrated the town, and received from the *Chevalier D'Harmental* the sword of Albemarle whom he had just made prisoner.

But the fight is not yet won; Eugene is approaching; Villars seizes on the Bridge he is to pass, his headlong charges are seven times repulsed, and his best men are destroyed by the Artillery and the Bayonets of the French. With his dress all tattered by bullets, and blood flowing from two wounds, Eugene mounts his third horse, shedding tears of rage, and retires, tearing his gauntlets with his teeth. Six hours have changed the destiny of the world, La Belle France is saved, and Louis is still *Le Grand Roi*.

The Marshal immediately dispatches the *Chevalier*, though wounded and weary, to announce the happy event at Court: he springs on a fresh horse, and in twelve hours is at Versailles.

"Villars had foreseen what would happen to his protégé. At the first word he uttered, Mme. de Maintenon took him by the hand, and conducted him to the King who was engaged with his Secretary Voisin, though ill at the time. She opened the door, pushed the Chevalier forward, and raising her hands to heaven cried out, 'Sire, give thanks to God, for we are nothing of our selves, and from Him comes all grace and help.'

'What is this?' said the King; 'speak, monsieur'. 'Sire, the camp of Denain is taken; the Duke of Albemarle is a prisoner; Prince Eugene in retreat, and Marshal Villars places his victory at the feet of your Majesty. Notwithstanding his self-possession, Louis turned pale, he felt his powers giving way, and leaned on the table. 'What is the matter, Sir?' said Mme. de Maintenon pressing over to him. 'Nothing, but that I feel I owe you every thing. You are the saviour of the King and your friends preserve his kingdom.' Then Louis XIV. all pale and agitated, passed behind the curtain which screened his bed-chamber, and they heard him rendering fervent thanks to God in a low voice: after a few minutes he re-appeared, calm and grave as if nothing had happened.

On rising from his long sleep next day, Raoul D'Harmental found his brevet of Colonel lying on his table."

But by the death of the King, and the failure of the Duke of Mayne, our hero's prospects are blighted. Mme. de Maintenon retires to St. Cyr; the Duke of Mayne to his paradise at Sceaux to finish his translation of Lucretius; and the frank, unambitious Duke of Tholouse, his brother, betakes himself to his country-seat to hunt and fish.

D'Harmental indulges his melancholy for eight days, but since the demise of Louis, melancholy had gone out of fashion; and, though a Trappist compared with other young gentlemen of the time, he is brought into an intrigue with Mme. D'Averne, wife of the Lieutenant of the Guards, who, despite all the seductions of the Regent himself, remains constant to our hero for three months.

Supping one evening at La Fillon's, a *chère amie* of the famous, or infamous, Dubois, with one of his companions, he is awakened out of his fool's Elysium by the conversation of three friends of the Regent, in an adjoining box. He learns therefrom, that his true love could no longer resist the presents and other blandishments of Philip, and that the willow is his portion. He taps at the partition, and gives the youths the lie; they, in return, give their names, and appoint a hostile meeting beyond the Porte Maillot for the morning. On this morning then, the 22nd of March, 1718—

"A young gentleman about twenty-six years of age, mounted on a gallant Spanish steed, kept watch at the corner of the Pont Neuf

After about half an hour's delay, with his eyes wandering at hazard among the crowd, they at last rested on an individual who was approaching from the direction of the Rue Dauphiny. This was a tall man, wearing, instead of a peruke, his own long black hair, sprinkled with grey, and dressed in a style half bourgeois, half military. He bore a sword preposterously long, and his hat, which once boasted ribbon and plume, now hung so much on one side that it was a perfect miracle of equilibrium. There was in the whole ensemble of the man who moved on at leisure, in a sauntering gait, carressing his moustache, and waving off the crowd when it approached too near his august presence, such an air of careless unintentional insolence, that the horseman murmured under his breath, smiling at the time, 'This is our man without a shadow of doubt.' He then approached with an air of wishing to accost the new-comer, who waited as soon as he saw his intention, right foot in third position, one hand on the pommel of his sword, and the other stroking his moustache. The young gentleman raising his hand to his hat, thus opened the conference :—'Monsieur, I judge by your air and carriage, that you are a gentleman, am I right?' 'By my faith you are,' said the man on foot, touching his rusty hat, 'I am not only a gentleman, but, unlikely as it may seem, a Captain to boot.' 'Delighted at the information, for you are the better qualified to relieve our embarrassment.' 'You are freely welcome, Sir, to everything at my command, my purse excepted; the last crown it held is at this moment in the till of the Cabaret down there.' 'Sir, I have no need of your purse whatever, you are, on the contrary, welcome to mine which is entirely at your disposal.' 'To whom have I the honor of speaking?' said the Captain, visibly touched by this pleasing view of the case. 'I am called the Baron de Valef, and you must know that my friend, the Chevalier D'Harmental, in the course of last evening, brought a mighty pretty quarrel on his hands with three gentlemen of the Guards. Our party being only two, I waited on some of our friends this morning, but none of them had slept at home last night; and as I must depart for Spain in two hours, and as the rencontre must take place at half past nine I had only to adopt the present plan to procure a third comrade.' 'And you did well, Sir, I am heartily at your service.' "

They proceed to the rendezvous, the Captain taking a position *en croupe*; and while they ride *Valef* enters into the circumstances related already. The Captain though judging the provocation not grave enough to induce a quarrel, is not the less eager to get a little exercise; especially after meeting with the handsome and gallant Chevalier at the Barrier, who thanks him earnestly, and offers to repay the good office in kind, at any future opportunity. At the appointed place in the wood they meet their opponents, the Count de Fargy, the Marquis de Lafure, and the Chevalier de Ravanne,—three of the Regent's favorite *roués*,—accomplished, gallant, and

good-natured in their way, *Ravanne* being the youngest of the trio. The three gentlemen on each side advance, hat in hand, with such a serene smile on their faces, that no one could imagine the possibility of a combat being on the tapis; and *Ravanne* mentioning that the spot seemed too exposed, proposed to guide them to one more retired.

"Lead on, child," said the Captain, "let us follow the youth: Innocence points the way to Safety."

Ravanne turned round, and measuring our friend of the rusty hat from head to foot, addressed him, "If you are not particularly engaged, worthy sir, I claim your preference."

Several compliments were now exchanged on both sides, and the four chief personages were soon engaged at the sword's point. No spite or dislike evident, but all in the purest courtesy.

"Use a little briskness, Sir, if you please," said *Ravanne* to the Captain who was leisurely folding up his coat, and laying it out neatly by the side of his hat. "No hurry, my fine young gentleman," said the old soldier, continuing his arrangements with the same composure. "The most essential quality of valor is coolness: at your age I was just as hot-headed, but after the third or fourth thrust I received, I retraced my steps. Now for it," added he, pulling forth his long blade. "Plague on your toasting iron," said *Ravanne* looking doubtfully at the length of the weapon, "it reminds me of the large spit in my lady mother's kitchen. I wish I had it here, to be on something like a footing of equality with you." "Your mother is a worthy lady, and her kitchen first rate, I have heard honorable mention of both, so I'll take care not to throw either into grief for the slight cause that affords me the honor of crossing blades with you. Now then, imagine that you are merely taking a lesson with your fencing master, and thrust home." The recommendation was needless: *Ravanne* enraged at the sang-froid of his opponent, which, despite his own high courage and self-confidence, he could scarcely hope ever to attain, rushed on the Captain with such fury that the sword hilts clashed, and the Captain made a step backwards. "Ah, you break ground, my tall gentleman," said *Ravanne*. "To fall back is not to retreat, my little Monsieur," answered the Captain: "besides, I wish to study your play. Ah, you are a pupil of Bertholet. He is a reasonably good teacher, but has one great fault: he does not show how to parry. See there now," said he, answering to a cut in second, by a direct lunge. "Had your blade that time given me a slice, I would have spitted you like a lark."

Ravanne was furious, for he had felt the point of the other's weapon at his breast, but as light as the button of a foil, and being conscious of owing his life to the forbearance of his adversary, he attacked him again with redoubled rage.

"Easy, easy," said the Captain, "you are losing all discretion, and want to deprive me of an eye; fie, fie, young man. At the breast,

morbleau, at the breast. You won't: well, I must disarm you, I see. Still at the face! Go now and pick up your weapon, and come back on one leg, to allow yourself time to cool.' And with one strong sweep of his blade, he sent Ravanne's sword spinning twenty paces away. This time Ravanne profited by the advice; he went and took up the sword, and returned leisurely; his face being as white as his satin vest, on which appeared a drop of blood. 'Sir, you are right,' said he: 'I am still a boy, but hope that my rencontre with you will advance me on my way to manhood. A few passes more, if you be good enough, so that I may not lose all the honours.' And the Captain was soon sensible that all that was wanting to Ravanne was coolness; and he was obliged to put forth more of his science to guard his person from a prick; but his skill and practice was so perfect, that there was no chance for his young adversary. Again the weapon was struck out of the hands of Ravanne; but this time the Captain took the trouble of picking it up himself, and presenting the hilt, complimented his antagonist on his prowess, but requested him to change Bertholet for the superior teaching of Bois-Robert. The young gentleman returned suitable thanks, sheathed his weapon, and then both turned their eyes on the other combatants. D'Harmental was seen staunching the blood from a wound in Lafare's side, the rib having happily caused the blade to glance sideways; and Fargy and Valef were both wounded, one in the arm, and the other in the thigh.

'Look at this spectacle, young man,' said the philosophic Captain, 'and reflect how four or five brave gentlemen might have lost their lives for a good for nothing woman.'

'By my faith, Captain, you are right, and I think you are the only one in the company that seems to possess common sense.'

Lafare advises his opponents how they may best avoid suspicion; and D'Harmental expedites the surgeon to the aid of the wounded men; and on taking leave of the Captain, acquaints himself with his name and house of call, and requests his acceptance of his a horse. *Roquefinette*, so the Captain had named himself, makes no useless objections, but treats himself to the good breakfast ordered by the *Chevalier* at the Barrier, and after taking some constitutional exercise on his steed, sells him, and manages to live in luxury for some time on the proceeds. On reaching home, the *Chevalier* finds a note awaiting him: the contents will point the moral so well deduced by the worthy *Captain*.—

"My Dear Chevalier,

No one is thoroughly master of his own heart, and it is one of the miseries of our nature that we can neither love the same person or thing for any reasonable time. For my own part I wish to be considered superior to other women, and will not deceive him who was once my accepted lover. Do not then come to visit me at your accustomed hour, for the word would be '*not at*

home, and I am too considerate to risk the salvation of valet or femme de chambre, by obliging them to utter a gross conscious falsehood. Adieu, my dear Chevalier, preserve me in your good opinion; and let me think, in ten years time, what I think at this hour,—that you are one of the most gallant gentlemen in France.

Sophie D'Averne.

'Ah!' said the Chevalier, striking the table with his clenched hand, 'if I had killed Lafare I would never have forgiven myself.'

Another note, found by the side of this, invited our hero to a masked ball, where a good genius, with a purple ribbon on the left shoulder, would meet him, and give him an opportunity of worthily employing his talents, and triumphing over his ill wishers. At the hour appointed he is in the middle of the assembly at the Opera House.

The first person he recognised was the young Duke of Richelieu, whose name, adventures, elegance, and indiscretions had set him at the summit of the fashion. Two Princesses of the Blood were rivals for his love; but this did not hinder Mmes. de Nesle and de Polignac fighting a duel, with pistols, for him; nor Mmes. de Sabrau, de Villars, de Mouchy, and de Tencin from holding temporary leases of his heart. It is well known that during one of his dozen sojourns at the Bastille, he was allowed, for the sake of his health, to walk on the platform; and that all the fashionable ladies of the court took the opportunity, during the hour of recreation, to come, with full equipages, to the nearest open place where, though at a distance, they might be blessed with a flying kiss of his glove, or a wave of his handkerchief.

"He was now relating to Canillac, one of the Regent's nocturnal companions, some diverting history which the Chevalier's slight acquaintance would scarcely permit him to come listen to uninvited; but Richelieu, as he passed, seized him by the skirt of his coat. 'Come, Chevalier, I am telling Canillac an occurrence which in his capacity of night walker may be of use to him. I will take it as a favour from you also to give it what circulation you can, for I have not yet revealed it to more than twenty; consequently, it is hardly known, and besides, the matter has only just occurred.'

Just then Ravanne passed, giving chase to a mask. Richelieu cried out to him to stop, but he answered he had no time to spare. 'Where is Lafare?' 'He has a headache.' 'And Fargy?' 'He has hurt his foot;' and Ravanne making a friendly salutation to his antagonist of the morning was soon lost in the crowd. 'Now for the story,' cried Canillac. 'You must know then that after my late release from the Bastille, Rafé (*his valet*) one morning handed me a perfumed note, inviting me to a tete-a-tete with Mme Parabere.

(*a member of the Regent's Saraglio, whom he called his Little Crow.*) You may be sure that I was punctual to keep tryste with the favorite of him who keeps the keys of the Bastille ; but whom do you think I found sitting by her side on my entrance ? ' Her husband, probably.' ' Not at all, it was the Regent himself. I was a little bewildered, but kept my countenance as well as I could, and saluted the lady with the most profound respect, but this only made the Regent burst out a-laughing. ' Come and take a seat with us,' said he ; ' our poor Marquise is in despair. Her brute of a husband, who has neglected her shamefully for two years, is now threatening her with a process on pretence of her having a lover.' The Marquise at this point did her best to blush, but finding the operation difficult, held up her fan instead. ' Well,' said the Regent, ' when the poor Marquise told me her grievance, I called D'Argenson, (*the Chief of the Police,*) to know who might be this lover, and what do you think was the answer the rogue gave me ? Why that it was either you or I. So now as both are equally the object of calumny we must aid and assist each other, and avoid the scandal of a process, especially as Parabere clamors to be made a Duke.' ' The difficulty is,' said Madame, ' that he has not come under my roof for two years, and swears he will kill me if the ghost of a lover dares only to look at the door.' ' Then,' said I, ' I suppose we would be safe if he were seen entering and remaining in the house a night, and going out the next morning, like an ordinary, dutiful husband.' ' Certainly.' ' Well, I'll see to that, if Parabere is weak on the subject of Chamberlin or Burgundy.' ' I fear he is,' said his affectionate wife. ' Well then we're saved. I'll invite the Marquis to a choice supper with some good fellows and charming women ; you will send Dubois who, as he cannot drink himself, will see that the Marquis is not neglected ; and when all are under the table, he can gather up the litigious husband, and the rest of the comedy lies between himself and the coachman.' All turned out as we had arranged. Parabere went to sleep last night at my house, and woke up this morning by the side of his faithful spouse. You may suppose that he did not keep his grievance to himself, but roared out lustily. However, there was no help. All his domestics saw him enter, and go out again, and if he tries law, we have numbers to swear that he adores his wife unknown to himself, and that she is a model of conjugal fidelity, equally without his knowledge. And now, Chevalier, promise to relate this adventure to that charming Black Bat who seems anxious to engage your attention, and urge her to add wings to the report. "

The lady whose black habit, by its shape, gave her some resemblance to a bat, succeeds in inducing our hero to allow himself to be blindfolded and conducted to the presence of the Duchess of Maine. This lady, the grand-daughter of the great Condé, was exceedingly small of stature, and not at all beautiful ; but she was graceful, talented, sprightly, and energetic to a surprising degree. Had her husband been endowed with her resolution, and other gifts, the ensuing events of French

History would present a different aspect. The Lady "Bat" was her attached favorite, Mlle. de Launay who was afterwards imprisoned on her account, and left to the world one of the charming gossiping Memoirs of the time. She became Mme. de Stael, while in the Bastile, and after she and husband were set at liberty, she often regretted that period of restriction, as she experienced the usual married luck of a woman of genius.

D'Harmental meets, at the Duchess of Maine's, the Cardinal de Polignac, a rather timid conspirator; the brave and honest Marquis de Pompadour, who having been a play-fellow of the elder Dauphin, has transferred all his love and loyalty to the Duchess; M. de Malezieux, an old, accomplished, and indolent man of letters who had assisted in the education of the Duke of Maine; Count Laval, a brave soldier whose jaw had been broken in the Italian wars, and the Abbe Brigaut, a subtle unprincipled man, but full of resources. The Ambassador of Spain, Prince Cellamare, is also present, and on his informing them that Cardinal Alberoni had not yet succeeded in inducing Philip V. to dispatch an autograph letter in furtherance of their designs upon the young King, they lay out a plan to secure the Regent's person, and conduct him across the frontier; the Abbe Brigaut watching for a suitable moment, and being provided with forged passports. The Regent is to fill the part of a gentleman of damaged intellect, who, supposes himself to be Philip of Orleans, and *D'Harmental* undertakes the chief post of danger in the plot.

In 1717, on the 4th of February, the Triple Alliance had been signed at the Hague by the Abbe Dubois on the part of France, by General Cadogan on the part of England, and by the Pensionary Heinsius on that of Holland; the object being to oblige the Emperor to recognise Philip V. as Monarch of Spain and the Indies, and to compel Philip to resign all claim to the Italian territory and the Netherlands. Neither the Emperor nor Philip had given adhesion to these arrangements, but at the period of our story, Dubois was in London, closeted with the English, Dutch and Austrian Plenipotentiaries, the four powers being determined to make Philip come into their views. It would be no difficult matter to induce poor Philip to do any thing reasonable, for his worst enemy could say no more of him than that his earthly wishes were limited to a loving Queen and a praying desk. If the King of Spain was easy to be dealt with, so was not his prime Minister. He nourished at heart the design of uniting the powers of Charles XII. of Sweden, and the Czar

Peter, for a united attack on Britain, as soon as the Pretender was ready to make a descent ; and to unite the Kingdoms of France, Spain, and Italy under the sway of his own master. This was one of his great mad projects, but he shewed that with fitting instruments he was capable of achievements really worth recording. At a time when the revenues of Spain were of no service but to benefit the collector, and when the military spirit of the country was almost broken by reverses, he fitted out two expeditions,—one of which wrested for the time Sardinia from the Emperor, and the other took Sicily, and held it against the Austrians and the English for a considerable period, with spirit and gallantry.

Not intending to glance at this subject again, it may be mentioned here, that the Duke of Savoy for some consideration or other, got Sicily as a present one time, and when it fitted the Emperor's purpose, he took this island from him again and gave him Sardinia instead. If any reader of *Martin Chuzzlewit* take it into his head to study the transactions of this memorable time, he will meet the name of this little potentate frequently, and as last consider him as a sort of *Chevy Slime* with a coronet, he had such a talent of doing nothing except "waiting round the corner" for any stray island that was not of much use to King or Emperor.

The Abbe Brigaut establishes the *Chevalier* in a quiet street, disguising him as a student from the country, and brings him, from day to day, exact details of how the Regent is to pass the ensuing one. At last a favorable opportunity offers: Philip is to sup next evening with the *Chevaliers Simaine* and *Ravanne*, at Madame de Sabran's, in the Rue des Bons Enfants. This street, and the eastern façade of the Palais Royal, are adjoining and parallel ; and our hero having secured the services of our old acquaintance, *Captain Roquefinette* and his band of mercenaries, they will secure the Regent, at his exit from his rendezvous, get him quietly into a coach, and being provided with proper (forged) passports, conduct their assumed lunatic, nicely and agreeably, over the Pyrenees. They are at their posts, determined and prepared ; ensconced in porches and corners of the street, when out come the Regent and his associates on the balcony ; but either through the influence of liquor or suspicion, *Simiane* proposes to Philip to follow him, as he climbs an iron trellis work to the roof. Philip agrees, and the three get on the parapet with some difficulty, and by this time they are aware of the presence of the ambuscade.

They lose no time, but get down through a sky-light into the interior, pass out at the back or western quarter of the house, jump from the garden down into the road, cross it without delay, and get safe through a wicket of the Palais Royal, just as the Chevalier's party had come within a few paces of them, after sweeping round the north and south points of the block of dwellings.

"Next morning, about nine o'clock, the Regent who had slept as if nothing had occurred to disquiet him, was working in his office. Thanks to his thorough insouciance and constitutional courage, the slightest trace of disturbance could not be remarked on his countenance; ennui, his perpetual foe, was alone able to throw a shadow over it. The various articles lying about showed the presence of the Politician, the Savant, and the Artist. Besides the large table in the middle, covered with papers, pens and ink, there was a retort, three quarters full, and an opera, and a painting in progress, so that he was enabled to pass from the most complicated political calculations to the wildest efforts of invention in design, or the delights and sorrows of music. All these were his weapons against the dreaded enemy, Ennui, which, though often repulsed, was ever near to seize on him, so that no moment of his waking hours was without occupation, indefatigable labor, or vulgar debauch.

Being apprised that Madame Elizabeth Charlotte, his mother, was anxious for an interview, he expected a summons to her presence every moment, when the door opened, and instead of the messenger, she, herself, entered. A word or two has been already said on her want of personal attractions: she describes herself as having little eyes, a thick snubby nose, short body, ditto legs, and the ugliest hands ever owned by a princess. Louis XIV. had managed her union with his brother after the death of his first wife, in order that he might secure an interest in Bavaria, as well as he had already done in Spain and England, by his own marriage and his brother's former one; but notwithstanding his wish to keep up the most cordial relations with her, he never could endure her hands. After her husband's death she still retained all the honours and dignities of her former state, instead of being obliged to retire to a convent, or to the old dower house of Montargis, and this attention was shown by the son, though he still smarted from that box on the ear conferred on the future Regent, for consenting to marry the Royal Bastard, Mlle. de Blois. In effect, the haughty Palatine Princess, elevated on her thirty-two paternal and maternal quarterings, could not but look on it as a disgrace, that a son of her's should ally himself to the illegitimate offspring of the greatest on earth. However, when she considered that it was to a brave boy of eighteen years she had administered that token of her motherly feelings, she felt rather apprehensive on his becoming Regent that he would remember the day at Versailles. She was agreeably disappointed, for he appreciated the inciting cause, though considering the manifestation as rather too Teutonic; and put her on a scale of rank equal to that of his wife: nay, when the Duchess of Berri, his eldest daughter,

claimed the service of a company of guards, as the wife of a Dauphin he granted the request only on the condition of his mother enjoying the same honours. As a drawback, she possessed not the slightest political influence, less even than her son's mistresses. She was an indefatigable and most indiscreet correspondent of Wilhelmine Charlotte, Princess of Wales ; and of Duke Anthony Ulric of Brunswick ; and the Regent had no desire that his state designs should ooze through such channels. To compensate her in some degree, he gave her full power in the management of his daughters, whom their own mother was too lazy to seek to guide ; and very indifferent credit did the greater number of these young ladies reflect on the system or the professors."

The Duchess of Berri lived openly with Riom, nephew of the notorious Lauzun ; Mlle. de Valois was believed to be the mistress of Richelieu ; and Mlle. de Chartres was one day fasting and weeping in a convent, and the next hunting, or shooting at a mark. The Princess Louise, who became Queen of Spain, and Mme. Elizabeth, Duchess of Lorraine seem to have escaped censure.

The Princess lectures her son on the imprudence of his conduct in exposing himself to such risks as he had incurred the previous evening, but he laughs her fears away as well as he can, adding—

" ' These precautions, dear mother, serve to darken our existence and nothing else. It is for tyrants to tremble, but as for me, who, as St. Simon says, am the most debonair Prince of France since the days of Louis le Dèbonnaire, what have I to fear ? ' ' Ah, my dear child,' said the Princess, pressing his hands, and looking on him with all the tenderness her little eyes could contain, ' there would be nothing to fear if all knew you as well as I, and that it is out of your power to hate even your bitterest enemies ; but Henry IV, whom you unhappily resemble in some unlucky particulars, was as good natured as you, and yet he found a Ravallac. Ah, *mein Gott*, it is only good kings that are assassinated ; the bad ones take care to keep the murderer and his poniard at a safe distance. You should never go abroad without an escort ; you have need of the guards and not I. ' Will you allow me to tell you a story of old times, Madame ? ' Willingly, as you can tell one very pleasant."

' Well then, there lived in Rome, in some year or other of the Republic, a Consul as brave as a lion, but, like our good Henry and myself, something addicted to wandering. It happened that this Consul was sent against the Carthaginians, and by the happy invention of a warlike machine called a crow, he gained the first naval victory ever won for his country. He naturally hoped for some notice, and was not disappointed. On his return he was met outside the city by the entire population and conducted to the Capitol, where the Senate were assembled to do him further honour. In the full assembly, it

was then and there announced to him that the highest mark of honour in their power to bestow, and one which should be specially agreeable to any patriot, was about to be awarded him, namely, the privilege, whenever he walked abroad, of being preceded by a flute-player whose business was to announce, in his melodious notes, that 'this was the renowned Duillius the Conqueror of Carthage.' You may suppose, Madame, that the joy of Duillius was beyond belief on receiving such distinction. He returned home with his head in the clouds, preceded by his melodious herald, who exhausted his entire collection, to the joy and delight of the multitude who shouted incessantly 'Long live Duillius; Long Live the Conqueror of Carthage; Long Live the Deliverer of Rome!' So intoxicating was this draught of public applause, that the poor Consul had like to get beside himself. Twice, in the same day, he went out, though without any need, merely to enjoy this musical and senatorial privilege, and to listen to the acclaim of the people. This occupation wore out the day in a state of joyful extasy, but at last the evening came, and the Consul recollected that he had to pay a visit to the lady of his heart, who lived in the Via Suburra. He accordingly took a bath, arranged his dress with care, threw some perfume over his person, and left the house on tiptoe, but he had reckoned without his host—I should rather say his musician. He had scarcely gone four steps, when this conscientious, but maladroit follower, who had attached himself to his person, night as well as day, jumped down from a post on which he had been taking a refreshing nap, and recognising his Consul, assumed his place in front, and blew his homage might and main. Those who were promenading turned round; those who had entered their houses ran to the doors; and those who had retired to bed, got to their windows in very flimsy attire; and all began to shout, 'Ah! here is our Consul Duillius passing; long live Duillius; long live the Conqueror of Carthage; long live the Saviour of Rome!' It was very flattering to be sure, but mighty inconvenient. So the Consul besought his herald to give his lungs a respite, but he answered 'that he had received the most precise instructions from the Senate on the point; that he was receiving 10,000 sesterces per annum, and that while breath remained he would use it like a man of conscience.' The unhappy Consul finding he had to do with such a wooden headed satellite, commenced to run, hoping to escape his faithful tormentor, but the other so nicely regulated his pace, that Duillius gained nothing but hearing the music ten paces behind him, instead of the same distance in front. He doubled and turned like a hare, took mighty bounds like a stag, charged headlong like a wild boar; he might as well have remained quiet. The cursed genius of the flute seemed to chase both by scent and sight, so that the whole city, not understanding the reason of this nocturnal course, but learning that it was the hero of the day who figured so prominently in it, came into the streets, filled the doors, and peopled the windows, still shouting amain, 'Long live Duillius; long live the Conqueror of Carthage; long live the Saviour of Rome!' The hapless great man had still one hope in reserve, that the inmates of the lady's house might be asleep, and that through some fortunate pass he might escape his tormentor. Delusive hope! the universal

hub bub had even reached the Suburra, and when he reached that loved door where he had so often scattered perfumes, and suspended garlands, he found the house alive, the windows full, and the inmates repeating the now detested formula, 'Long live Duillius.' The luckless conqueror returned home in despair.

The next day he endeavoured to circumvent his guardian, all in vain: the following day he made another effort; just as useless: next day the same success: so that finding it hopeless to recover the comforts of a private life, he departed for Sicily, where, through spite and rage, he gave such a thrashing to the enemy, that it was supposed he had put an end to all wars, past, present, and to come. Rome prepared another fete for him equal to the commemoration of the founding of the city, and the Senate met to contrive some triumph, greater if possible than the former one. They were deliberating on the propriety of a public statue, when they heard shouts of joy outside, and Duillius himself entered, still attended by his incubus. Thanks to his speed, he had contrived to escape a public demonstration, but owing to the flute, there was still a very respectable crowd at his heels. Finding that the Senate were on the point of voting, he advanced in haste, crying out, 'O Conscript Fathers, will you promise me solemnly that the choice of recompense for my poor services may be left to myself?' 'Our intention,' said the President, 'is to make you the happiest man on earth.' 'But will you please to allow myself the selection of the peculiar honour?' 'Yes, by Jupiter,' cried the President, speaking for himself and associates. 'Well then,' said Duillius, 'if you feel that I have deserved well of my country, release me at once, and for ever, of this devil of a flute player.'

The Senate thought the request strange, but they had passed their words, and in those old times people abided by their engagements. The musician retired on half-pay, owing to the good character he had earned, and Duillius began to taste again the ordinary privileges of a private individual, and snapped his fingers at all the flute players in the universe.

'And pray, my son, what has this story to do with my dread of seeing you assassinated?'

'Ah, my lady mother, if one flute player caused such annoyance to poor Duillius, what would I not suffer from a whole regiment of guards?'

The Duchess, after conferring with her son on a sudden whim which had seized on Mlle. de Chartres to become a nun, was leaving him when she encountered a little man in the anti-chamber, stuck into enormous travelling boots, and adorned with an immense fur collar, out of which came a little head with a sharp nose, mocking eyes, and the whole physiognomy partaking about equally of the fox and weasel. 'Ah, is it you, Dubois?' 'The same, your Highness, and I have this moment arrived after saving France.' (He had just returned from concluding the quadruple alliance at London.) 'Ah, yes, people must make use of poisons in certain maladies: you ought to know this, Dubois, you an apothecary's son.' 'Perhaps I did know it once, Madame,' said Dubois, in his usual insolent tone, 'but I have forgot-

ten it, 'tis so long since I have renounced my father's drugs to superintend your son's education.' 'No matter,' said the Dowager, laughing, 'I am pleased with your zeal, and will ask my son to gratify you with the next vacant embassy to China or Persia.' 'And why not to the sun or moon, Madame: you would be the easier about my return.'

As has been written, Dubois had just got the quadruple alliance compacted, in which the Emperor, renouncing all rights to the crown of Spain, as Philip had given up all claim on France, formed a bond of union with England, Holland, and France against Sweden and Russia in the north, and Spain in the south. So just and equitable was the basis on which the claims of the principal territories of Europe were then fixed, that, the empire excepted, they have remained so since."

A few words now about Dubois. The Regent in his youth had four governors, all of whom died soon after acceptance of office; so that the word went abroad that there was no such thing as rearing or raising a governor for him. Monsieur Saint Laurent succeeding these four tutors, and dying himself, according to order, left William Dubois to finish his royal but unlucky pupil. This substitute was the son of an apothecary at Brives la Gallardei, very much distinguished by the negligence of his parents, his mother having forgotten to get him baptized, and his father to get him taught his catechism. After a youthful escapade or two, he came to Paris and assumed the title of Abbé. Whatever evil example and indifferent precepts he exhibited to the future Regent, he seems to have given him always sound political advice, unless where his own personal interests were concerned. Ambition and avarice were his darling passions; in excess in eating and drinking he could not well indulge, owing to bodily infirmity.

Both he and his master are charged with infidelity, but the infidels were not a flourishing sect at the time; the number of self-convinced infidels has always been, and always will be, limited, thank God; and the truth is, that Philip was so given up to sensuality, and Dubois to his own besetting sins, that they wilfully or negligently let the spiritual affections of their souls lie fallow, and gave themselves up to the worship of the unclean Idols of their worldly and human propensities. Dubois has been drawn in the blackest colors by the gossiping Memoir writers of the time, and it is probable that he was as bad as he is described, but he still was human. He does not appear to have taken personal revenge in many instances; was good natured, in his way; loved the Regent unaffectedly, and was as insolent to the highest as the lowest. Being determined to have himself made Bishop, he

actually secured the interest of George I. with the Regent; and by a series of manœuvres, and to the very little honor of those who permitted the elections, was appointed Archbishop, and finally Cardinal. He never studied to acquire dignity of manner; frequently he burst into fits of rage on trifling occasions, swore fearfully, jumped on tables and chairs, and flung about the furniture. Complaining in a fury once, that with such a number of clerks he could not get his business half done, one of them suggested, that if he employed a clerk expressly to swear for him, half the number on pay would suffice.

All this time our hero has been kept out of sight, and worse than that, in the eyes of our lady readers, has lost his love, and no one has replaced her. Softly, madame. On the opposite side of the street he catches glimpses of a beautiful young lady who is always painting or embroidering, or reading or playing delicious music. The *Chevalier* has a harpsichord in his room and makes it discourse excellent melody. He has a great deal of time on his hands, and if the reader please to put these matters in an unprejudiced manner before himself, he will scarcely wonder that before *Bathilde* or *D'Harmental* have spoken a word to each other, they have fallen, through the ears and eyes, in love. *Bathilde* is the daughter of a brave young officer who had once saved the life of the Regent in battle, and had fallen in Spain in sight of his commander. Philip wrote a letter of consolation to the poor widow, authorizing her to apply to him in any emergency, but his stay in Spain was prolonged, and before he returned or that she could make her claim available, the poor heartbroken lady died, leaving little *Bathilde* to the sole protection of a good, simple-minded writing master, who lived in the same house with them. He is the finest ornamental writer in Paris, but a complete ninny in every other thing, and has employment in the Royal Library, ticketing and arranging books. One fine morning he finds his salary suspended; some of his colleagues, to whom the same unpleasantness occurred, quitted the place in disgust. Not so our friend *Buvat*, he gives his labor gratis till the Government becomes able to pay him his small stipend, and works early and late at private tuition to support *Bathilde* in a style befitting her birth. He never breathes a word of his embarrassment in her presence; but, with the instinct of a noble nature, she finds out the truth, and then, by a little kind deception practised on her good natured and devoted guardian, she turns her proficiency

in drawing to account, and comfort is again restored to their household. We regret that space does not permit us to translate some passages describing the simplicity, goodness, and self-denial of poor *Buvat*; with the exception of *Dominie Sampson*, alone, there is scarcely a finer character in fiction.

The Duchess of Maine now sends her emissaries into the distant provinces of France, and to Savoy, to secure the co-operation of the notables, for the design alluded to above—the calling together of the States General, the promotion of her husband to the Regency, and the supplanting of Philip, even by force, if necessary. A manuscript letter from Philip of Spain to his nephew Louis XV, conveyed to his royal hands through Marshal Villeroy, his tutor, and recommending the convocation of the Estates, was to be the chief instrument in the design.

Our *Chevalier* is sent into Brittany on this business, and upon his return to Sceaux, finds a festival about to be celebrated, in which the Duchess was to hold a chapter of the order of the Honey Bee, herself being the Sovereign. The chapter is merely a blind, as the object is to receive the reports of the different envoys without exciting the suspicion of the Regent's party. This is adroitly effected after the chapter is held, and the noble company has come out to promenade in the illuminated gardens. A Greenland landscape is seen on the island of the lake, up the avenue approaches a triumphal car, into which the Duchess is invited to enter by quaintly attired inhabitants of that cold country. She is drawn to the edge of the water, over which she and the newly made knights pass on a broad plank; this temporary bridge sinks in the water as soon as the cortege has passed. All take refuge in a comfortable grotto, and every emissary produces the names and engagements of the various great personages secured to the cause on his late journey, and the Baron de Valef produces an autograph of Philip V, in the shape of a letter to young Louis, in unison with their wishes. Nothing is now wanted but the adhesion of the Duke of Richelieu, and even he presents himself at the eleventh hour. He was indulging the company with the ridiculous cause of his delay, when he was interrupted by the Duchess:—

“ ‘May I beg to remind you, Duke, that we are assembled for a serious purpose.’ ‘Ah, yes, we are forming a conspiracy, is it not so?’ ‘Have you already forgotten?’ ‘By my faith, Madame, as a plot is not the gayest thing in the world, I keep it out of my mind

as much as I can, but when needs must I am not the less your man. Now, Madame, what point in the conspiracy are we at?' 'Look at these letters and you will learn at once.' 'Excuse me, Madame; my powers in writing and reading manuscript are undeveloped; I never even read letters addressed to myself. I have a pile of seven or eight hundred of the most charming notes still un-read, laid by for the solace of my old age. Now, Malesieux, you, who are lucidity itself, give me the substance of these hieroglyphics.' 'Well, Monsieur le Duc, these are the engagements of the Breton nobles to support the claims of his Highness.' 'Very well.' 'This paper is the protest of the nobility.' 'Ah, let me have that document; I also protest.' 'But do you know against what?' 'Oh, deuce a matter, I love to protest.' 'This letter is from the royal hand of Philip.' 'Very good, parbleu, his Majesty writes a worse hand than myself. How I'll triumph over that rogue Baffet (his secretary-valet) who says the thing is impossible.' 'If the letters are badly written the words are to the purpose: it requests the King to summon the Estates General.' 'And are you sure of these same Estates General?' 'This protestation secures the nobility: the Cardinal (Polignac) answers for the clergy.' 'And the army?' 'I,' said Count Laval, 'make that my affair. I have thirty-two colonel's commissions in my portfolio.' 'Then I,' said Richelieu, 'answer for my Regiment stationed at Bayonne.' 'In that case you must be prompt, for there are orders about to be given for a change of garrison.' 'Paper and pens at once.' And receiving them from the fairy fingers of the Duchess, he penned the following epistle.*—

"Monsieur le duc de Berwick, pair et Maréchal de France,

"Comme mon regiment, monsieur, est des plus à portée de marcher, et qu'il est *après à faire un habillement*, qu'il perdrait totalement *sil*, avant qu'il fût achevé, il était obligé de faire quelque mouvement

"J'ai l'honneur de vous *suplier*, monsieur, de vouloir bien laisser à *Baionne jusqu'au commencement* de mai que l'*habillement* sera fait, et je vous *suplie* de me croire avec toute la considération possible, monsieur, votre très humble et très obéissant serviteur,

Duc de Richelieu.

"Now, Madam, read this," said he, passing the paper to the Duchess. 'Provided with this caution the Regiment will not stir from that border town.' The Duchess, after reading the ill spelt missive, passed it to her neighbour, and thus it made the tour of the table. Happily for the writer, his critics were too noble minded to object to a letter more or less in the spelling."

A difficulty arising about having copies of the necessary papers made with safety and secrecy, the Abbe Brigaut assures

* This, and the autograph letter of Philip, and other curious documents of the time, are copied into the work under review from the originals.

them that he has a jewel of a copier in his eye, (our friend *Buvat*) who has the privilege of transcribing reams on reams without being a single idea the better from the operation : however, that for the greater safety, and for the convenience of the Spanish King who was to inspect them, it was resolved that the originals should be given to *Buvat* in the Spanish language.

Mme Bury, an opera singer, dressed in a black robe sprinkled with stars, to represent the goddess Night, was to sing a certain ode in honor of the fairy queen of Sceaux, when the ducal party were returning to the shore. The singer, however, being taken ill, *Bathilde* is persuaded by her friend, *Mlle de Launay*, to go through the part : this she does very well until she sees her modestly dressed student-lover, now in a nobleman's attire, handing the Duchess of Maine from the boat. The song breaks off, she utters a cry and faints, while the *Chevalier*, little suspecting her presence, passes on. She gets herself conveyed home at once on recovering, and when *D'Harmental* eagerly opens his window next morning, he observes but a blank prospect of closed shutters.

Next the reader has to go through the regular series of misunderstandings, and attempts at explanations which make matters worse than before ; but as the progress of the loving part of the story is as innocent as if imagined by the authoress of the *Children of the Abbey*, or as if the lovers were *Edward Waverley* and sweet, but cool, *Rose Bradwardine*, they will probably find some mode of reconciliation the care of which may be left to themselves.

And now *D'Harmental* introduces himself formally to *Buvat*, and recommends him to the *Prince de Listhney*, (a valet of the Duchess's assuming that title for the nonce) and poor *Buvat* is happy as a negro, or an Irishman, on a holiday,—copying the Spanish documents in his spare hours. In going through his work mechanically, a forgotten sheet, written in good, plain French, falls under his astonished eye, and he finds a complete outline of the conspiracy. Now, it was not to be thought of, that he, a well wisher of the Regent, and a government official besides, should be aiding and abetting a plot of the kind : but to denounce the Prince, by whom he was so well paid, and the noble and friendly *Chevalier*, (he little suspected how dear he was to *Bathilde*) could not be even contemplated. In a miserable state of indecision he repairs to his usual business at the Royal Library, but the very titles of

the works as he labels them, and the chance words of his colleagues, complete his wretchedness. He reads :—

“ *The Conspiracy of M. de Cinq Mars, With an Account of his Death and that of M. de Thou Condemned for Non-Revelation* ; the very crime of which Buvat might be found guilty and beheaded, no, not beheaded, but hung, not being a privileged noble ;—he would instantly reveal all ;—but to be an informer ;—abominable ! but then again, to be hung, and Bathilde left destitute ;—worse still ! ‘ What are you doing there, with your arms crossed and your little eyes looking so wild ? ’ ‘ I—I—I am thinking of a new conspiracy—ah ! I mean classification of the books. ’ ‘ Oh ho ! Mr. Buvat, you are then planning a revolution in our little domain. ’ ‘ A revolution ! God forbid ! Every one knows my devotedness to the Regent ;—a revolution indeed ! ’ ‘ But what ails you to-day, Buvat ; you are unloosing your cravat as if it was going to strangle you. Well, well, just as you like ; take off your coat if you wish, no one here cares about the matter. ’ ‘ Beg pardon, I did it without thought, ’ and laying *Cinq Mars* aside, he placed his hand next on *The Art of Plucking a Fowl Without Making it Cry*. This put him in mind of writing some receipts for his housekeeper as the money was now coming in, but the money brought to his mind, in succession, Prince de Lestrange, the Plot, Buvat’s own handwriting, Buvat arrested, Buvat hung, Bathilde left an orphan. ‘ Oh ! (wiles) *The Art of Plucking a Fowl Without Making it Cry* : Paris, 1709 ; Rue de Bac, 110. Oh the rascals ! See, I have put the Prince’s address on the ticket ; I’ll really lose my senses. *Conspiracy of the Chevalier de Rohan*. Oh murder, what will become of me ! I can lay my hand on nothing but conspiracies. What is this ? *Copy of the Plan of Government Found in the Hand-Writing of Van den Enden* ; just my own case. I’ll faint. *Procès Verbal of the Torture of François Affinius Van den Enden* ; and the unhappy Buvat, under the horrible fascination of the objects of his terror, gets one of the clerks to read the whole of the punishment, Brodequins and all.”

At the conclusion he sinks exhausted, but again roused by despair, he seizes on his papers, rushes off to Dubois, gives up the fatal scrolls, and finally, under the press of mental torture, reveals the assumed names of his employers, on Dubois threatening to send *Bathilde* to a House of Correction. A plan is now laid to catch the conspirators in flagrante delicto. The Duke of Richelieu has used his influence over the Duchess de Villeroy ; she ensnares the Duke, and on a certain day he is to present the young King with the autograph of Philip. The reader has been already informed that this nobleman was a very indifferent soldier ; of his political rectitude here is a specimen, and let the kind and delicate reader pardon a little circumlocution in telling the story. A certain worthy fore-

runner of Sir Francis Head, and Titmarsh, a Mr. Twiss by name, once executed a tour through Ireland, and wrote so uncomplimentary an account of the country and its denizens, that an indignant native, in the pottery line, had his effigies faithfully depicted, and impressed on the concave portions of certain domestic utensils, never named in polite assemblies, accompanied by a distich not intended for public perusal. Villeroy's advice to a political student was, not to despise the office of tendering the article, such as bore Mr. Twiss's portrait, to any court favorite, in case of need; but if he had lost, or was about to lose cast, not to scruple reversing it on his head. A song was current in the Duke's honor at the time, and this was its refrain—

“Villeroy, Villeroy,
A fort bien serve le roy
Guillaume, Guillaume, Guillaume.” . . .

An interesting and pleasing account of the interview between the Regent and the young King follows. Towards the conclusion, and after a package of toys has been inspected, Philip invites his Majesty to accompany him into his office to examine some state papers. Villeroy, who has just arrived, insists on his own right to accompany his royal pupil, and carries his persistence to the point of *Leze-Regency*, this being the very thing desired. Our old friend, *D'Aartagan*, of the musketeers, takes charge of the angry Duke, his person is examined, and the autograph of the Spanish King, and other damning documents found. The party of the Duke of Mayne is thrown into confusion, and several are arrested, the Prince of Cellamane's papers seized, and himself sent home. Now, the *Chevalier D'Harmental*, and three or four devoted friends of the Duchess of Maine, determine on having recourse to the original plan: they seize on the Regent in his coach, in the wood of Vincennes, as he is returning from a state visit; they turn the horses heads and drive southwards. Their progress is unexpectedly stopped, however, at a cross road in the wood, by an armed force, in front and at the sides. The other conspiritors escape, but the *Chevalier*, who is mounted on one of the horses, strives to break through the lines: his steed is disabled and rolls over with him; he is taken, imprisoned, examined, and threatened with the torture, but nothing can induce him to criminate his confederates; he ascribes his act to personal resentment. He is doomed to the axe, and at the last, petitions the Regent that the marriage ceremony may be per-

formed between himself and *Bathilde*, in order that he may bequeath his name and some property to her. *Bathilde*, on her side, moves all her friends that she may obtain an interview with the Regent: it is granted after some difficulty, through Mlle de Valois, and *Bathilde* presents the letter sent by him long ago to her mother, on the occasion of her father's death. He makes no direct answer, but writes a few lines on a scrap of paper, and gives it to a chamberlain: this official conducts *Bathilde* to the Bastile, where, under very gloomy auspices, she meets again with her lover; they are married, and conducted to a carriage after the ceremony, and now joy fills *Bathilde's* heart, as she supposes she will be allowed to share her husband's confinement, wherever they are going to conduct him.

The carriage still rolls on and they are out of Paris: it stops at last, and the coachman opens the door to know their further commands. On looking out *D'Harmental* recognises the spot where he was seized when carrying off the pretended Regent, for, after all, it was only one of the Regent's servants, their plot having been detected by the agency of La Fillon. The lovers are at liberty, though rather out of place on their wedding night, and this was the only revenge taken by Philip. In a few years *Buvat* is happy, teaching a fine boy and girl to write,—the first copy piece was—"PHILIPPE D'ORLEANS."

The Chevalier de Mesnil destroyed, at his own risk, a paper compromising several persons connected with the plot, and, by so doing, acquired the Regent's respect instead of his resentment. The poet, Lagrange Chancel, who had, in his *Philippics*, heaped every abomination on the Regent's head, including the poisoning of his royal charge, was summoned to the Palais Royal after all was over, and asked whether "he believed the calumny he had uttered." "Certainly," answered he, "or I would not have written it." "I spare your life, that being the case," said the Regent, "otherwise you should pay the penalty of a wilful falsehood." The poet was sentenced to a long imprisonment, but soon released, as the report spread that he was wasting away from the effects of slow poison. Dubois was furious, but Philip held firm, and only hummed the refrain of a song made on him by St. Simon—

" Je suis débonnaire, moi,
Je suis débonnaire."

Had the Regent possessed a few more virtues, he would be one of the best and greatest men of the past history of France.

There are a few slight discrepancies between the historical facts and the story. In *fact*, the principal documents of the plot were been seized at Poitiers, on the road to Spain; and the arrest of Villeroy took place later in the Regency, on occasion of a quarrel between him and Dubois.

Amongst the court characters of the time there is scarcely a truly worthy personage to be recognised but the Regent's mother, and the Duc de St Simon, the chronicler of the private life of the court, and devoted friend of Philip—though as unlike him in character as could be, St Simon being devout, and of unblemished reputation. Want of space prevents our dwelling on the extravagance and loose morals of the Duchess of Berri, and her occasional fits of devotional penitence, and of the real christian courage of the Curé of her parish, who would not administer the sacraments to her, nor suffer any strange clergyman to do so, till she would dismiss Riom, her paramour, and the vile Madame Mouchy. Four Breton nobles were beheaded at Nantes in consequence of this conspiracy of Cellamare; and the Duke of Berwick was sent to fight against Philip of Spain, after having defended him so well some dozen years before.

The evil lives of the Regent and his court were even exceeded in the following reign, till the accumulation of the wickedness of the higher classes became intolerable, and society was convulsed by the explosion of 1793, and the innocent and worthy children were punished for the sins of their sires. So certain is it that no one can do wrong, and say that others will not be injured. There is a common interest in the human family, and as individual good deeds benefit the community more or less, according to their magnitude or quality, so, from a vicious state of any society evil influences spread around, (like the waves in a stream after any part is locally disturbed, and the remotest portions of society feel the bad effects.

The story under review is one of the best of the firm of Dumas and Company, as regards pleasing incident, elaboration of character, and avoidance of unhealthy topics. If we have excited interest in our readers for the after fortunes of the personages of our sketch, there are abundant memoirs and histories extant to satisfy all curiosity.

ART. V.—REFORMATORY AND RAGGED SCHOOLS.

1. *Reformatory Schools, For the Children of the Perishing and Dangerous Classes, and for Juvenile Offenders.* By Mary Carpenter. London: C. Gilpin. 1851.
2. *Draft Report by Sub-Committee of Rural Police of County of Aberdeen, on the Causes of the Recent Increase of Vagrancy and Crime in the County.* By Alexander Thomson, Esq. Banchory House, Aberdeen. Aberdeen: D. Chalmers and Co., 1852.
3. *Aberdeenshire Reports on Juvenile Delinquency,* 1845, 1848, 1851. Aberdeen: D. Chalmers and Co. 1851.
4. *Social Evils: Their Causes and Their Cure.* By Alexander Thomson Esq. of Banchory. London: James Nisbet and Co. 1852.
5. *Letter to M. D. Hill, Esq. Recorder of Birmingham, on Juvenile Ragged Industrial Feeding Schools.* By Alexander Thomson, Esq. Aberdeen: 1853.
6. *Report on Sheriff Watson's Female Industrial School, for the Year 1853-4.* Aberdeen: D. Chalmers and Co. 1854.
7. *A Bill for Making Provision to Prevent and Suppress Juvenile Delinquency, and to Regulate Reformatory and Industrial Schools for Juvenile Offenders and Vagrants, and for Other Purposes Relating Thereto.* Draft Bill for Scotland. 1854.
8. *Charge of the Late Mr. Justice Talfourd, Delivered to the Grand Jury of the County of Berkshire, at the Lent Assizes, Held in Reading, on Monday, 27th February, 1854: Reported in "The Berkshire Chronicle," Saturday, March 4th, 1854.*
9. *Second Annual Report of The Dublin Ragged School, Broomer and Messenger Society, for the Year 1853.* Dublin: W. Porteous. 1854.
10. *Second Annual Report of The Mill-street Ragged Schools, Dublin.* Dublin: W. Espy. 1853.
11. *First Annual Report of the Committee of Management of the Male and Female Ragged and Sunday Schools, 27, Townsend-street.* Dublin: B. D. Webb. 1854.
12. *Report of the Ragged Schools, Lurgan-street, (Lately Church-street,) Dublin.* Dublin: Brady. 1853.

13. *First Annual Report of the Ragged School Dormitory, No. 31, Chancery Lane.* Dublin: W. Espy. 1854.
14. *Second Annual Report of the Committee of the Catholic Ragged Schools, ending, May 31st, 1853, adopted at the Annual General Meeting, held in the Church of St. Paul, on Sunday, June 19th, 1853—His Grace the Lord Archbishop of Dublin Presiding.* Dublin: Fowler. 1853.
15. *Copy of a Proposed Memorial Sent by the Preventive and Reformatory School Committee, to the Committee of the Ragged School Union, for their Consideration before being Presented to the Lords of the Privy Council.* Printed for Private Circulation. 1854.
16. *Two Prize Essays on Juvenile Delinquency.* By Micaiah Hill, Esq. and C. F. Cornwallis. London: Smith, Elder and Co. 1853.
17. *Meliora: or Better Times To Come. Being the Contributions of Many Men Touching the Present State and Prospects of Society.* Edited by Viscount Ingestre. 1st series. 2nd Edition; and Second Series. London: J. W. Parker and Son. 1852-3.
18. *A Place of Repentance; or an Account of the London Colonial Training Institution and Ragged Dormitory, for the Reformation of Youthful and Adult Male Criminals, Great Smith-street, Westminster.* By Samuel Martin, Minister of Westminster Chapel. Second Edition. London: James Nisbet and Co. 1852.
19. *Chapters on Prisons and Prisoners, and the Prevention of Crime.* By Joseph Kingsmill, M. A., Chaplain of Pentonville Prison. London: Longman and Co. Second Edition, 1852—Third Edition, 1854.
20. *The Philosophy of Ragged Schools.* London: Pickering. 1851.

In our two former papers, on the moral and social condition of the poor classes in these kingdoms,* we devoted our chief attention to the various causes which are proved to have conduced to demoralize the once virtuous, and which are shown to have rendered more depraved the vicious. In the latter of these

* See IRISH QUARTERLY REVIEW, Vol. III. No. 10, p. 299, Art. "The Garret, The Cabin, and The Gaol."—and Vol. IV. No. 13. p. 1, Art. "Our Juvenile Criminals:—The School Master or The Gaoler."

papers we stated our intention of returning to the discussion, then but slightly entered upon, of the important results which have sprung, and which yet may arise, to the Nation, and to Christianity, through the establishment, and from the extension, of Reformatory and Ragged Schools, in all their branches, and from the more general adoption of the Separate System, wisely conducted, as at Reading, into our common prisons.

It is the characteristic of the English Nation that they are slow to adopt great fundamental changes, even though these changes, which they consider theories, are but the well proved facts of other countries. Doubtless, as a compensating quality in the national mind, our people do, when they have once discovered the true value of a principle, endeavour heartily to secure the full benefit of the system, thoroughly and thoroughly, in all its complete integrity. To this peculiarity of the national mind, we may attribute the fact, that whilst the child criminals—"the city Arabs, the home Heathens"—of our towns, could be secured from future crime, and enabled to support themselves by a trade, at a cost of £3 15s. per annum, in the Reformatory and Industrial Schools, we pay for them, per annum—

In the Poor House	...	£10
In the Gaol	...	£20
In the Convict Settlement	}	£143.*
and for cost of Prosecution		

Because our people could not be induced to consider the wonderful results of the Separate System, we have sent, and we still send, offenders, young and old, to live in the common prison with those who make the day room but a scene of bad example, and the dormitory a pandemonium. Because our people cannot be made to understand the advantages of the Separate System, and the ruinous disadvantages of the old gaol-packing custom—because they have, with wonderfully stolid pertinacity, supported in the ordinary class of gaols a system of which the result is continued re-committal, ending in transportation, and

* See "Report on the Discipline and Management of the Convict-Prisons, and Disposal of Convicts, 1852." By Lieutenant Colonel Jebb, C.B. Surveyor-General of Prisons, Chairman of the Directors, &c.

entailing for prosecutions, before the final one, £20 each,—for the final frequently £200, the tax-payers have been mulcted.

If, indeed, it could be shown that the Reformatory School and the Separate System were futile in their results, or if the expense were more enormous than that in which the Nation involves itself by an adherence to the present plan, we could understand the objections which have been urged against the advocates of the principles for which we contend, but we have shown elaborately in a former paper,* and we have above indicated, by facts and figures from authoritative sources, that the latter of these objections is groundless, whilst in the paper to which we have last referred, we have proved—in our present we shall prove—that the first objection is equally, if not more, untenable.

It has been said that Reformatory Schools unfit the pupils for the rough life which must be encountered in “the iron realities” of their world, and that Separate Systems render the cunning hypocrites, and the simple “reformed fools.” These are grave and startling objections, and, if true, should be to every honest mind more than sufficient to render the School and the System fitted to receive the most determined reprobation. Both the objections, however, are founded in prejudice or misconception; and although Reformatory, Industrial, and Ragged Schools, and the Separate System of imprisonment are now becoming more generally recognised, and more clearly understood—and to recognise and understand these principles is to adopt them—yet as many of our readers may be unacquainted with these two great schemes which we advocate, we shall give the history, the progress, and the present position of Reformatory Schools, and of the Separate System, in these Kingdoms.

It has been well and truly observed, by the most distinguished advocate of education in our time—the Right Hon. Thomas Wyse—“That education should be in harmony with the wants and prospects of the individual, is a truth which no one thinks seriously of contesting. When applied to Nations, the case alters; it is either questioned or neglected. The reason is obvious. Men understand tolerably well their own immediate interests. It is a matter of somewhat more difficulty to judge

* See IRISH QUARTERLY REVIEW, Vol. IV. No. 13. Art. “Our Juvenile Criminals:—The School-Master or The Gaoler.”

of the remote interests of a Nation." These observations are, doubtless, true, but the interests involved in the systems for which we contend are not "the remote interests of a nation," but identical with the interests of every man, as if they were those of his own household. It may be that we are only now learning these truths, but to other nations they have been, long since, patent facts. And strange as it may seem, it is undoubtedly true that Reformatory Schools in Prussia, in Holland, in France, and in these Kingdoms, have sprung from the energetic philanthropy of private individuals. The Dusseldorf School owes its origin to Count Von der Reck; the Rauhe Haus of Hamburgh was originated by a humble man named Wicheren; Mettrai sprang from the benevolence of the Viscomte de Breteignères de Courteilles, and M. Demetz, Conseiller à la Cour Royale de Paris; the Aberdeen Industrial and Feeding Schools owe their origin to Mr. Sheriff Watson, and their ultimate success to that estimable gentleman, Mr. Alexander Thomson of Banchory House; whilst the London Colonial Training Institution and Ragged Dormitory owes its present position to the unswerving attention and devoted energy of Mr. Nash.

The Dusseldorf School is the oldest of these Reformatory Institutions; it is situated at Dusselthal Abbey, on the right bank of the Rhine, and is a refuge for poor outcast children. In the year 1816 Count Von der Reck, a Prussian nobleman, devoted himself to the care of these children. Napoleon's wars had made many helpless orphans, and the Count and his father thought it right to receive a certain number of the children in their neighbourhood, who subsisted by begging and stealing, into their own house, where they were instructed in the common branches of education and useful trades. Finding the result of their plans satisfactory, and believing that its usefulness was capable of more general extension, provided proper accommodation were afforded, the old Count prepared, for the reception of the children, a large and commodious house; and as the results of the system became more developed, the father and son gave up their private fortune to support their school, and secured the aid of many friends.

The early history of this school, like that of all others of its class, shows troublesome and pertinacious wildness on the part of the pupils, and displays indomitable perseverance in the patrons. Some of the pupils stole away from the school and remain hidden in the woods until driven back by hunger: one boy had, from

his veriest childhood, lived by assisting a Wesphalian swineherd. He loved to talk of the animals and their ways; he had lived amongst them, slept amongst them; when hungry had eaten the raw green herbage, and when thirsty had sucked the milch sow. And yet this boy, so wayward and savage, was, by kindness and judicious teaching, made useful in drawing the water and in cutting the wood for the establishment, and finally he learned to read.

In the year 1844 the inmates of Dusselthal amounted to 220 persons, treated as one family. Count Von der Reck lived amongst them as a father, "taking the most lively interest in every thing that concerns their welfare, bodily or spiritual—he shares their joys and sorrows, pointing both to the same great end."*

The Rauhe Haus, of Hamburg, is an imitation of the Dusselthal Institution, and was founded on the 1st of November, 1833, by J. H. Wicheren, who, with his family, took possession of a small, one story, straw-roofed house, near the village of Horn, and about three miles from Hamburg. Attached to the cottage was an acre of land, half covered with bushes and hillocks, and intersected by ditches. About a week after Wicheren and his family had taken possession of the cottage, fourteen young criminals, varying in ages from five to eighteen years, were its inmates. These boys were old in crime, and one of them, though but in his twelfth year, had been officially convicted of ninety-three thefts. The boys had been "treated or regarded as a species of human vermin, baffling the power of the authorities to suppress." Like our own "City Arabs," they had slept in cellars, in ruined houses, and under doorways: they, like our "Home Heathens," had learned no law save that of nature, but they were taught by Wicheren that *his* house was *their* house, that *his* food was *their* food, and, as has been well and truly written, "the feeling of home came warming into their hearts, like the emotions of a new existence, as he spoke to them, with his kind voice and eyes, of *our* house, of *our* trees, of *our* cabbages, turnips, potatoes, pigs, and geese and ducks, which *we* will grow for *our* comfort."† The boys worked energetically and willingly; and so

* See "Illustrations of Faith," London: Nisbet and Co., 1844.

† See "Oberlan Tracts," No. XII. See also, Horsell and Elihu Burritt's "Bond of Brotherhood." April, 1851.

determined were they to make Wicheren's, and *their* property productive, that they frequently labored by lantern light in the evening, rooting up bushes and trees, even though it rained or snowed. In the year 1851 there were seventy boys, and twenty-five girls, in the Rauhe Haus; these were divided into four boy families and two girl families;—the sexes varying, in age, from eight to sixteen years.

It can scarcely be necessary to offer any explanatory observations upon the utility of the Dusseldorf and Rauhe Haus Institutions; indeed, so evident were the merits of the system, that La Colonie Agricole, at Mettrai, in France, was founded upon the system as developed in these schools,—having, like them, for its aim, to restore to society, as honest and useful members, those who have subjected themselves to punishment: Mettrai has, however, for its peculiar object, the substitution of the discipline of a school and family for that of a prison.

By the 66th Article, of the French Penal Code, it is decreed—“That when the accused party shall be under sixteen years of age, if it be decided that he has acted ‘sans discernment,’ he shall be acquitted, but, according to circumstances, shall be returned to his parents, or sent to a House of Correction, to be there educated and detained for as many years as his sentence shall appoint; provided always, that the sentence shall not extend beyond the period that the boy shall attain the age of twenty years.” With the power which this Article of the Penal Code gave to the advocates of Reformatory Institutions, M. Demetz, and the Viscomte de Bretignères de Courteilles succeeded, in the year 1889, in establishing La Colonie Agricole, at Mettrai.

It will have been perceived that this institution is intended to promote the reformation of offenders, under sixteen years of age, who may have been sentenced to periods of imprisonment which shall not extend beyond that time when the culprit shall complete his twentieth year. The difference between the Mettrai Colonie and our Parkhurst Institution is, that the former is intended for the amendment of those who shall be the future citizens of France,—the latter is devoted to the reformation of those Juvenile Convicts who there suffer a reformatory probation, previous to their transportation to a Convict Settlement. In Parkhurst, the system is one in which is combined the rigor of a gaol with the care of a school; in Mettrai, the

system is one founded in kindness, and having, as its highest aim, to instil religious principles into the minds of the convicts; its chiefest care, next to this, is to teach all in the institution that happiness and prosperity are best secured by honest and unflagging industry.

The school has, since its opening in the year 1839, received about nine hundred and fifty boys, and the usual number in the school is four hundred, arranged into families of forty in each,—thus adopting the plan of the Rauhe Haus. Over each of these families a master and two assistant masters are placed. Each family resides in a distinct house; and except during the hours of work, play, prayers, or other occasion of assembling, has no association with the other portions of the establishment. The guardianship and care of the master, or as he is called “*Le Père*,” may be considered individual, as he, and his assistants, associate and live with the boys, and share even in their amusements. Each head master is personally responsible for the care of forty boys under his especial charge. The boys know this to be the case, and look upon him as a friend and tutor, rather than as a schoolmaster or gaoler. The moral effect of this identification of interest and feeling is as evident at Mettrai as at the Rauhe Haus, and has resulted in the custom of employing some of the elder boys to maintain the discipline and order of the establishment. For the purpose of assisting in the regulation of each family two boys, called “*Frères aînés*,” are elected monthly, by the votes of the other members of the family, and by the sanction of the master. The boys are also permitted to name those who are to receive rewards for good conduct; and their conscience is appealed to when any are to be punished. From the peculiar nature of the school, and the class of whom its pupils are composed, it is thought advisable that no fault, however trifling, shall be overlooked. The punishments are,—compelling the boy to stand apart from his companions, privations of meals and recreations, admonition in the private room of the Director,—imprisonment in a light or dark cell, with or without dry bread and water diet. The highest punishment is expulsion, which means being sent back to the prison whence the offender was received: corporal punishment is entirely forbidden.

Instruction is imparted, but it is of that class such as an ordinary laborer may be assumed to possess—namely, reading,

writing, and ciphering. Information, however, of a more comprehensive character is secured for those who may merit it, and some of the advanced boys are instructed in geography and drawing, and all are taught music, whilst industrial training occupies a considerable portion of every day. The masters endeavour to keep the boys continually occupied; four hours are devoted for meals, recreation, morning and evening prayers, dressing; and one hour is devoted to study; whilst in accommodation, dress, and food, all the inmates, officers and pupils, are treated in precisely the same manner; cleanliness, wholesomeness, and plainness, being the chief objects.

Of five hundred and twenty-one boys who had been received, from the opening of the establishment in 1839 to the summer of 1842, seventeen had died; twelve had been sent back to their prisons for misconduct, and one hundred and forty-four had been placed out in various situations in the world. Of these one hundred and forty-four, seven had relapsed into crime, nine were of doubtful character, and one hundred and twenty were conducting themselves to the entire satisfaction of the Directors.

Much of the success of Mettrai is the result of the excellent system adopted by M. Demetz, who commenced the conduct of the Institution aided by masters, and by young assistants whom he had trained for some months in a Normal School of his own foundation. So high an opinion has been formed of this School from its practical results, that it still remains attached to the Colony, and has always upon its foundation twelve or eighteen pupils, preparing to replace the masters, as these may leave Mettrai for similar establishments in other parts of France.

The influence of Mettrai extends far beyond its limits. Farmers and tradesmen are so anxious to obtain boys from the school, that the applications are far more numerous than can be supplied. When a boy is placed with a farmer or tradesman, which event generally takes place after a three years residence in the Colony, some gentleman in the neighbourhood, and who is called his "Patron," is induced to watch over his welfare, and to report to the Directors twice a year upon his conduct; the heads of this report are copied into a list which is suspended in the large school-room. Should the boy conduct himself well, upon reaching his twentieth year he is presented with a ring, on which is engraved an appropriate

motto ; but should he turn out ill, before he completes his twentieth year, he is taken back to the colony for a further trial, or sent to the prison whence he first came, and where he continues until the expiration of the period for which he was originally sentenced.

These great results were achieved by M. Demetz, and the Viscomte de Bretignères, aided latterly by the Viscomte de Villiers, a nephew of the Viscomte de Bretignères. The Patrons began the reformation at their own sole risk, supported only by a few friends, who were called the "Société Paternelle," as the head of which presided the Comte de Gasparin, a Peer of France ; but now the Colony is recognised by the state, is spreading its minor institutions throughout the whole extent of the empire, and has received the distinct and marked approbation of the Government Inspector.

Mettrai is valued as it merits by the French people, and its pupils are anxiously sought for by those who require the services of the boys ; but the pupils of the Rauhe Haus have been public benefactors. During the fire which some short time since took place in Hamburgh, the boys of this school requested the President to allow them to assist in checking the ravages of the conflagration ; they were permitted to assist ; they acted steadily, courageously, and in a manner so orderly, that the public thanks of the city was voted to them for their meritorious services during the fire, and for having given up their beds and bedding to those who were rendered destitute by the calamity. Thus we can understand that whilst the Reformatory School is calculated to make the reformed virtuous and industrious—it also renders them benevolent Christians—feeling that all men are to them, as they themselves were to those who drew them from crime and misery, to teach them the law of charity, and peace, and hope.*

Upon the peculiar advantages of the system as pursued at Mettrai we shall dwell more fully when comparing it with that of Parkhurst,—but we would here observe that the former is essentially a school, the latter is nothing more than a

* For a further account of Mettrai, see a pamphlet, written by Monsieur A. Cochin, or its translation, by the Rev Mr. Hamilton, Chaplain of Durham Gaol, and published by G. Whittaker, London. The last account of the Rauhe Haus, is that furnished by George Benson, Esq. to the Committee on Criminal and Destitute Juveniles, 1853, and published in their Report to the House of Commons.

prison, with walls and sentries. In Mettrai the masters and assistants are capable of understanding and discharging all the duties of their office, and no attempt at escape has been made since the foundation of the institution: from Parkhurst the boys have frequently attempted to escape, and the Chaplains and Governor express their opinion that a higher class of officers is desirable—"for instance, schoolmasters, in whom are combined the vigilance and discretion which are essential for the safe custody and discipline of prisoners, with the attainments necessary for industrial training." But, knowing the penny wise and pound foolish principle upon which all Reformatory Systems are carried out in these Kingdoms, Lieutenant Colonel Jebb adds—"such men cannot at present be found in sufficient numbers, nor could such varied qualifications be commanded without giving a very high rate of salary."*

Having thus sketched the history of Reformatory Schools upon the continent, and premising that the great American nation has most anxiously and earnestly adopted their systems, we shall now proceed to enquire into the position and prospects of Reformatory Schools in the United Kingdom; and if this enquiry shall prove that little has been accomplished, the fact should induce all men to aid heartily in the cause; and those who know the real history of the rise of Reformatory institutions will appreciate the truth of Mr. Thomson's remark, "The struggle has been long, and in some respects arduous—from the difficulty of rousing the public mind on the question—but now victory seems certain, and not far distant."†

The earliest Reformatory Schools known in England, and of which the Ragged Schools are imitations, were the Sunday Schools founded, in the year 1781, by Robert Raiks of Gloucester, assisted by the Rev. Thomas Stock; and of their origin Mr. Raiks gave the following account, in a letter addressed by him to Colonel Townley, in the year 1783:—

"Some business leading me one morning into the suburbs of the city, where the lowest of the people (who are principally employed in the pin manufactory) chiefly reside, I was struck with concern at seeing a group of children wretchedly ragged, at play in the street.

* See "Report on the Discipline and Management of The Convict Prisons and Disposal of Convicts, 1852."—Parkhurst Prison Report, p. 90

† See "Letter to M. D. Hill, Esq. Recorder of Birmingham, on Juvenile Ragged Industrial Feeding Schools." By Alexander Thomson, p. 2.

I asked an inhabitant whether those children belonged to that part of the town, and lamented their misery and idleness. 'Ah! sir,' said the woman to whom I was speaking, 'could you take a view of this part of the town on a Sunday, you would be shocked indeed; for then the street is filled with multitudes of these wretches, who, released on that day from employment, spend their time in noise and riot, playing at chuck, and cursing and swearing in a manner so horrid, as to convey to any serious mind an idea of hell rather than any other place. We have a worthy clergyman, minister of our parish, who has put some of them to school; but upon the Sabbath day they are all given up to follow their inclinations without restraint, as their parents, totally abandoned themselves, have no idea of instilling into the minds of their children principles to which they themselves are total strangers.' Can nothing be done, I asked myself, for these poor children? Is there any one who will take them to a school on Sunday?"

The success of these Schools was very considerable. Mr. Raiks engaged four well conducted women to take charge of a number of destitute children on the Sabbath, and soon the Schools became quite as attractive as the fairs or other gathering places of the neighbourhood.

The method adopted so successfully, and by which the change was so happily produced, is thus described, in another portion of that letter to Colonel Townley to which we have already referred:—

"To go round to the Schools on a Sunday afternoon, to examine the progress that was made, and to enforce order and decorum among such a set of little heathens. This, sir, was the commencement of the plan; it is now about three years since we began, and I wish you were here to make inquiry into the effect. A woman who lives in a lane where I had fixed a school, told me, some time ago, that the place was quite a heaven upon Sundays compared to what it used to be. The numbers who have learned to read and say their Catechism are so great, that I am quite astonished at it. Upon the Sunday afternoon, the mistresses take their scholars to church, a place into which neither they nor their ancestors ever entered with a view to the glory of God. But, what is yet more extraordinary, within this month, these little ragamuffins have, in great numbers, taken it into their heads to frequent the early morning prayers, which are held every morning at the cathedral at seven o'clock. I believe there were nearly fifty this morning. They assemble at the house of one of the mistresses, and walk before her to church, two and two, in as much order as a company of soldiers. I am generally at church, and after service they all come round me to make their bows, and, if any animosities have arisen, to make their complaints. The great principle I inculcate is, to be kind and good-natured to each other; not to provoke one another; to be dutiful to their parents; not to

offend God by cursing and swearing; and such little plain precepts as all may comprehend. I cannot express to you the pleasure I often receive in discovering genius and innate good dispositions among this little multitude. It is botanizing in human nature. I have often, too, the satisfaction of receiving thanks from parents for the information they perceive in their children. Often have I given them kind admonitions, which I always do in the mildest and gentlest manner. The going among them, doing them little kindnesses, distributing trifling rewards, and ingratiating myself with them, I hear have given me an ascendancy greater than ever I could have imagined, for I am told by their mistresses that they are very much afraid of my displeasure."

The result of this system has, year by year, become more marked, and the Schools have been most extensively and widely adopted. There are now over two millions of children attending about twenty-two thousand Sunday Schools in England and Wales; and in Ireland the Sunday School pupils number about half a million. We may further add, that of the English and Welch scholars about quarter of a million are in connection with the Sunday School Union, and more than a million and a quarter in the Schools of the Established Church. It has been objected to these Schools that they do not exercise a sufficiently strong influence over the heart to restrain, in after life, the vicious propensities of the pupils; however, it should be borne in mind that vast numbers of children attend these Schools, and these only; therefore criminals who have attended school at all are very likely to have been Sunday pupils. But view the question in its worst light, all that can be asserted, if the case stated by the Rev. Mr. Kingsmill be correct, is, that about three children in every two hundred attending Sunday School fall into crime. Mr. Kingsmill, differing with Dr. Browning's and Mr. Smithie's statements as to the value of Sunday Schools in deterring from crime, thought it right to judge for himself: he states, "In a thousand convicts I find ninety-two exclusively Sunday scholars, besides two hundred and twenty-one educated in National Schools, who were, according to the rules of the Society, Sunday scholars also. These, with a few from other schools, give about one-third of the thousand as Sunday scholars."*

Notwithstanding the benefits of the Sunday Schools, it was found that a population of juvenile criminals was rapidly grow-

*See a very interesting Chapter, entitled, "Sunday Schools," in the Second Edition of the Rev. Mr. Kingsmill's "Chapters on Prisons and Prisoners," pp. 4, 5, 6.

ing up in these Kingdoms. Human beings of tender years, who, had they been born of wealthy parents would have been but the inmates of the nursery, were found, after an infancy of godless ignorance, to have grown into a childhood of crime, and in many cases the number of their committals more than trebled the number of their years.*

These were terrible facts ; the counties and the cities felt it ; the cost of recommittal of juvenile criminals was acknowledged by all to be a crying evil, making itself known in every portion of the commonwealth ; and yet Prison Boards and the Legislature were incapable of understanding, or of coping with, or of crushing the mischief ; thoughtful men had pondered over the case ; Prison Inspectors had reported upon the subject ; Gaol Chaplains had furnished statistics and facts, proving that juvenile committals were but furnishing sources of aggravated juvenile crimes,—and the great secret of all this evil, the true cure for every plague spot in the moral condition of the juvenile poor who were criminal, or who might become so, was discovered by a humble young man in London, and by a wise, hard headed Sheriff in Scotland ; to Mr. Nash of London, to Mr. Sheriff Watson of Aberdeen, the great merit of having shown the benefit, in checking juvenile crime, of Ragged Schools and of Industrial Feeding Schools, is indisputably due and willingly acknowledged.

To John Pounds, a cobbler of Portsmouth, the honor of being the practical founder of Ragged Schools is justly given. He was a cripple, and with a canary on one shoulder, and a cat on the other, was accustomed to teach his crippled nephew, as they sat together in the little wooden bulk, or house, which formed his work shop. A neighbour's child joined the class, then a third, and the numbers continuing to increase, at length a class of poor ragged boys gathered round him on week days, and on Sundays followed him to church. He gained many true christians from sin to virtue. Many to who are now prosperous look back gratefully to the days when the poor crippled cobbler taught them, in his humble way, the law of love, of hope, and mercy. John Pounds died in the year 1839, aged seventy-two, having in his life and labors "taught," as Mr. Kingsmill writes,—“the true philosophy of Ragged schools.” It was his custom to collect the poorest children around him ;

* For some of these instances see *Irish Quar. Review*, vol. IV. No. xiii. p. 46. Art. “Our Juvenile Criminals :—The Schoolmaster or The Gaoler.”

his "little blackguards," as he called them, were gathered from all quarters; he taught them book learning and his trade; he induced the unwilling to attend, by the offer of a roasted potatoe, or some other simple food; and thus the cobbler's Ragged School became, in fact, an Industrial Feeding School. At his last class, just before his illness, the pupils amounted to forty, including twelve little girls. These all loved their humble teacher, because they felt that his sincere and earnest manner was the result of a kind and christian regard for their welfare. If even these children had learned nothing, save the thought of God, and that industry does not harden the hearts of those who labor, the teaching given in the poor shed of the crippled cobbler would have been more grand in its results than the most boasted systems of the most famous colleges, for truly has it been written in that thoughtful look, *The Claims of Labour*, "There is one maxim which those who superintend schools should ponder well; and that is, that the best things to be learnt are those which the children cannot be examined upon."*

Most of our readers are aware that a Ragged School is one into which children, too poor or too vicious to be received into ordinary schools, may enter as a matter of right. In England these Schools have been in existence since the year 1841, but from the great benefits derived from the London Colonial Training Institution and Ragged Dormitory, and from the Aberdeen Industrial Feeding Schools, the public have obtained the fullest appreciation of the benefit and wisdom of the system.

The Schools are divided into two classes, those supplying food, instruction, and clothing,—and those supplying instruction only. Upon the former of these classes of Schools has been founded that which provides, in addition, lodging and the dormitory.

It may be supposed that the origin of these Schools was by no means encouraging; many, indeed, of those who attended came solely for the purpose of annoying the teacher, and thus dilittante philanthropists were at once, and fortunately, driven from the ranks of the ragged scholar's friends. At first it was

* We must earnestly advise all who feel interested in this particular branch of our subject,—which assumes that teaching any thing good must result in teaching, imperceptibly, still more important truths than the instructor contemplates,—to read the Second Chapter of Miss Carpenter's "Reformatory Schools," and the remarkable evidence from pages 40 to 50 furnished in a little work published by Pickering, London, and entitled, "The Philosophy of Ragged Schools."

difficult to secure order ; all attempts at direction, on the part of teacher, were met by violence and hooting : books were showered upon him by his wild horde of pupils, and his remonstrances were drowned by vociferous shouts and yells. Patience and time, however, upon the part of the teachers, and let it be remembered they were voluntary teachers, caused the pupils to consider that those who devoted hours, set aside after the labor of the day was over for their instruction, were neither spies, nor gaolers, nor ordinary schoolmasters, and they began to respect the preceptor, and to profit by his instructions. Thus that voluntary system, so disinterestedly and strenuously advocated by Sarah Martin, was proved to work most admirably ; and where the paid schoolmaster could not succeed the voluntary instructor triumphed.*

Wherever these schools have been established, even in their simplest forms, juvenile crime has perceptibly decreased ; but where the Industrial and Ragged Feeding Schools have been supported, juvenile crime has virtually ceased.

The first Ragged School, as at present understood, was established in an old stable in London, by Mr. Walker, one of the London City Mission, and was opened upon a

* This admirable woman was a poor dress-maker, and devoted all her time to the care of the prisoners in Yarmouth Gaol. She had a small income, about twelve pounds per annum, and having lost her business through her care of the prisoners, she subsisted upon this small sum, and upon the charitable kindness of those who approved her exertions. The Corporation of Yarmouth wished her to accept some stipend, she refused to do so, and thus explains her reasons, in a letter to the wife of a Magistrate who had entreated her to take the money. " Here lies the objection which oppresses me : *I have found voluntary instruction, on my part, to have been attended with great advantage ; and I am apprehensive, that in receiving payment my labours may be less acceptable. I fear, also, that my mind would be fettered by pecuniary payment, and the whole work upset. To try the experiment, which might injure the thing I live and breathe for, seems like applying a knife to your child's throat, to know if it will cut.*" She was only induced to accede to the offer of the Corporation, when they told her—" If we permit you to visit the prison, you must submit to our terms"—and they gave her—*twelve pounds per annum !* and this after twenty-three years of devoted care. She commenced to visit the prisons in the year 1819, being then twenty-eight years old, and the chief support of her mother : she received the *twelve pounds* but for two years ; it was granted in 1841, and she died on the 15th of October, 1843. See " A Brief Sketch of the Life of the Late Miss Sarah Martin of Great Yarmouth ; with Extracts from the Parliamentary Reports on Prisons ; and Her Own Prison Journals." Yarmouth : 1844. The passages extracted are at pages, 35 and 36.

Sunday,—forty-four children attending. Very few of these children had shoes, a few had shirts, and a good many appeared as if enveloped in their fathers' coats, the collars rising above their heads, the tails trailing upon the ground. From this it will be perceived that the class of pupils was of the lowest. They were the children of very poor widows endeavouring to support large families; some were orphans; the parents of two or three were blind; all who relied upon others for their support depended for sustenance upon the sale of the cheapest and commonest goods of the costermonger; whilst those who tried to support themselves could hope for that support solely by disposing of lucifer matches, and cheap wares of the poorest and most unremunerative description; many had been frequently in gaol, yet, for this class of boys, so poor, so ill taught, and in many cases so vicious, has sprung, through the energy of one man, that confessedly valuable establishment, the London Colonial Training Institution and Ragged Dormitory. The founder of this institution, Mr. Nash, was reared to the business of a draper, in Bristol; but, about the year 1842 he filled the situation of a commercial clerk in London. He had been accustomed to attend as teacher in a Sunday school, and, about the period we state, he became much interested in the success of the Ragged Schools; he became a voluntary teacher, and although at first dispirited by the insubordination of his rough pupils continued patiently to discharge his self imposed duty, and in the year 1846 gave up his clerkship, and entered the Normal School of the British and Foreign School Society, for the purpose of being trained as a day school teacher. In January 1848 he was engaged as master of the Day Ragged School, New Pye Street, Westminster, and here his career of usefulness began.

The hours of attendance in this school were from 9 to 12, and from 2 to 4 o'clock daily. But Mr. Nash did not consider himself bound to observe these hours only, and he induced boys, whom he found begging in the streets, to become scholars. As yet the school could supply no food, and two of these lads stated to Mr. Nash, that they could derive no advantage from the instruction of the day, if by night they were compelled to beg or steal for their support. Mr. Nash hired a lodging for them, and procured them clean clothing from a patroness of the school; one of the lads absconded, the other remained absent some days, and then

returning, made such rapid progress in instruction and good conduct, that Mr. Nash was encouraged to select six other boys, to be treated in a like manner, and for whom, through the kindness of some friends, he was enabled to hire a room in Orchard-Street, at the rate of two shillings per week.

The poor of the neighbourhood, and the pupils of some neighbouring Ragged Schools, contributed their pence to the support of the Dormitory. One of the latter Schools collected several shillings, in farthings, and aid was given by the City Mission. The whole furniture belonging to the Dormitory consisted of one straw bed, two forms, two tubs, a borrowed table, a kettle, and some basins. In its quiet way the School was becoming known, a circular requesting aid was sent forth to the friends of the movement. Samuel Gurney, remembering his worthy relative Sarah Fry, sent five pounds; the Earl of Shaftesbury, then Lord Ashley, provided for the emigration of three of the most worthy of the scholars; the Bishop of Durham enclosed fifteen pounds; other friends sent smaller sums, and in the month of September, 1848, a room was taken in the house at present occupied as the Institution, at the rent of three shillings per week. The building had been for years the resort of robbers and suspicious characters; one by one they were dispossessed, until at length the entire became the holding of Mr. Nash. Cleanliness and ventilation were observed in the apartment occupied by the boys, even whilst the old disreputable inhabitants remained in the house; and although the cholera was raging in the neighbourhood, although some died of the disease in the house, not one of Mr Nash's boys was attacked.

Having secured the house for themselves, the boys cleansed, whitewashed, and painted it; and as the principles of the school were now generally known, anxious enquiries were made into its practical results. On the 28th March, 1849, a meeting was held for the purpose of taking leave of those lads whom, according to his promise, the Earl of Shaftesbury was about to provide with passage and outfit to Australia. The meeting was attended by the boys of the Pye Street, and of neighbouring Ragged Schools, and their parents, and was addressed by the chairman and other friends of the Institution. A similar meeting was held on the 22nd March, 1850, to take leave of five lads who were about departing for the United States.

The time had now come when the merit of the Institution was fully acknowledged. Mr. Nash had spent time and energy and such poor capital as he possessed, in carrying out its objects, and at a meeting convened by the friends of the Schools in Saint Martin's Hall, on the 9th May, 1850 Mr. Nash having, in the March previous, given up his last mercantile situation, was appointed Governor and Corresponding Secretary of the School. The numbers in the School now amount to over seventy. The premises cover 4522 square feet of ground, and the annual income is considerably over £1,000.

Of this remarkable Institution we extract the following account, from the interesting little work entitled *A Place of Repentance* :—

“The recipients of the bounty of this Institution are voluntary applicants for admission. They are frequently recommended to apply by the chaplains of prisons, but in these cases there is no influence employed but that which is strictly moral—the desire to reform being, in fact, the basis of procedure on the part of the Institution. Upon admission the applicant undergoes a probation of fourteen days, during which time he is kept as far as possible alone, and is allowed for his sustenance but 1lb. of bread per day. If the probationer pass through this time of trial with satisfaction to the Governor, he is allowed at the expiration of the fortnight to join the other inmates. The rules and regulations framed by the Governor for the conduct of the inmates when the Institution was first established are as follows :—1. Every applicant must undergo a strict examination as to his past life, and if found to be a suitable candidate, he will be admitted into the receiving-room on probation for a fortnight. During that time he will receive secular and religious instruction, but will not be allowed to mix with the inmates; and his sincerity will be tested by his being required to live upon, during the period of his probation, a pound of bread a day. Having submitted to that ordeal, he will be fully admitted to the benefit of the Institution. It is, therefore, useless for any to apply but those who are truly tired of the miserable life they are leading, and are also willing to work, and make themselves generally useful. 2. All the inmates are expected to co-operate with the Governor in endeavouring to detect impostors; they are required to do this both for their own benefit and that of the Institution. 3. The inmates are not allowed to associate or form acquaintance with loose characters, either in the neighbourhood or out of it; nor to correspond, by letter or otherwise, with any person without first having the sanction of the Governor; nor to receive letters without his knowledge, and all the letters received or sent out must be inspected by him. Should money be given to the inmates, it will be deposited in the hands of the Governor, who will see that no improper use is made of it. Clothing sent to the Institution will be disposed of to the inmates at his

discretion. 4. The time and place of out-door exercise will be appointed by the Governor; and on no account will the inmates be allowed to visit friends or relations during the time of out-door exercise. This privilege must be granted at the special request of the friend or relative, and that not oftener than once a-month, except in cases of emergency. Should any inmate be found in any low neighbourhood or lodging-house, he will expose himself to undergo another probation, and to begin his time again, or be dismissed the Institution. 5. Quarrelling, fighting, swearing, drinking, smoking, chewing tobacco, calling each other nick-names, or using any slang terms, are strictly prohibited; and on all occasions the inmates are to speak softly, to be obedient and respectful to the Governor, to the assistant, and to the masters of the industrial classes. They are also to be kind and obliging to each other, and to endeavour by God's grace to cultivate a quiet and meek disposition, so that by example they may assist each other in the work of reformation. 6. The observance of the Sabbath to be strictly enforced. All the inmates must attend public worship at least twice during the day. 7. During the time of singing, reading the Scriptures, and prayer at the Institution, both in the morning and evening, and on all other occasions, the strictest solemnity is to be observed. 8. The inmates are required to be particularly clean and neat in their persons, and to bathe at least once every week. 9. Clothing is only lent to the inmates while they remain in the Institution. Should they therefore abscond with any portion of it, they will render themselves liable to be given over to the hands of justice. 10. There is a place for everything, and everything must be kept in its proper place. Should any property belonging to the Institution be wilfully wasted or destroyed, a portion of the daily allowance of food will be stopped, equal to the value of the property so wasted or destroyed. 11. Should any of the inmates wish to leave the Institution, they are at perfect liberty to do so by expressing their wish to the Governor. 12. The time of remaining in the Institution shall not exceed twelve months. A journal is kept for the purpose of registering the conduct of each inmate. Those who strictly conform to the above rules, and give evidence of real reformation, will be granted a free passage to the colonies, or be placed in some situation at home in which they may obtain an honest livelihood. The dietary is as follows:—

	Breakfast.		Dinner.				Supper.			Total, Weekly.
	Cocoa.	Bread.	Meat.	Soup.	Potatoes.	Bread.	Bread.	Cheese.	Cocoa.	
	pint.	oz.	oz.	pint.	oz.	oz.	oz.	oz.	pint.	
Monday	1	8	6	..	16	5½	8	2	1	Bread.....9 13½ Meat .....1 8 Potatoes ..4 0 Cheese ....0 14 Soup .....3 pints. Cocoa ....14 ..
Tuesday....	1	8	..	..	..	8	8	2	1
Wednesday..	1	8	6	..	16	5½	8	2	1	
Thursday ..	1	8	..	1	..	8	8	2	1	
Friday	1	8	6	..	16	5½	8	2	1	
Saturday....	1	8	..	1	..	8	8	2	1	
Sunday.....	1	8	6	..	16	5½	8	2	1	
	7	56	24	3	64	45½	56	14	7	

Rice substituted for Potatoes occasionally.

TIME TABLE.

All the Inmates to rise at 6 o'clock.

6 till 8.....	Cleansing Dormitories, Stairs, Yard, and Work-shops.
8 till $\frac{1}{2}$ past 8.....	Singing, Reading the Scriptures, and Prayer.
$\frac{1}{2}$ past 8 till 9	Breakfast.
9 till 10	Out-door Exercise.
10 till $\frac{1}{2}$ past 10	Exercise in the Yard.
$\frac{1}{2}$ past 10 till $\frac{1}{4}$ to 1	Industrial Training, Shoemaking, Printing, Carpentering, and Tailoring.
1 o'clock	Dinner.
2 till $\frac{1}{4}$ to 5.....	Industrial Training, do. do.
5 o'clock	Tea.
6 till 8.....	Secular Instruction, Reading, Writing, Arithmetic, &c.
8 till 9.....	Instruction in Singing, Tuesday and Friday.
8 till 9.....	Lectures on Scientific Subjects, Thursday.
9 till 10 ..	Singing, Reading the Scriptures, and Prayer.
10 o'clock.	Bed.

On Monday Evening, at 8 o'clock, a Social Meeting for Prayer by those who are seriously disposed.

On Wednesday afternoon, from 2 till 4, Instructions on Gospel History

Sunday.

Singing, Reading the Scriptures, and Prayer, from 8 till 9. Breakfast at 9. Sunday-school at the Institution at $\frac{1}{2}$ past 9. At $\frac{1}{2}$ past 10 all the Inmates to attend Public Worship. Dinner at 1. Sunday-school from $\frac{1}{2}$ past 2 till $\frac{1}{2}$ past 4. Tea at 5. Public Worship at 6. From 9 till 10, an Examination on what they have heard in the Sermons of the day; after which Prayer closes the service, and all retire to rest.

On the first Sunday in the month, a special Prayer Meeting on behalf of those who have emigrated.

By the foregoing documents, it will be seen that the Institution provides a home for its inmates, with food, clothing, lodging, and every requisite, and that it secures industrial and religious training, with instruction in the common branches of education. There is a printing-press on the premises, which the lads work under the instruction of a competent master-printer, who is an *employé* of the Institution. Tailoring and shoemaking are also taught by competent persons, who receive a pecuniary remuneration. It has so happened, that from the commencement of the Institution there have been among the inmates young men who understood carpentry, so that

this branch of industrial training is carried on without the aid of a salaried teacher. If any of the inmates possess knowledge of other branches of industry, they are allowed to pursue them, subject of course to the control of the Governor, and the general discipline of the Institution. By this arrangement brushes have been produced, and bead-work. The domestic arrangements superintended by the Governor, and aided by an assistant, are carried out by the inmates themselves, who make their beds, clean the rooms, cook their food, wash their clothes, and do all the work required for the establishment. The secular and religious education of the establishment is carried on by the Governor, and by voluntary teachers, on the Sabbath, and on the evenings of week-days. All in the establishment attend public worship on the Sabbath; and religious exercises, general and special, are conducted for their spiritual edification during the week. The table below exhibits, so far as statistics go, present results. Since the establishment of the Institution there have been—

Sent out as emigrants	47
Sent to situations.....	29
Restored to their friends	17
Enlisted for soldiers	8
Gone to sea	2
Deceased	1
Sent to the Philanthropic	1
Sent to the Juvenile Refuge ...	4

Total..... 119

The first house occupied was 28 St. Anne Street, Westminster; but the establishment was removed, in September 1851, to 9 Great Smith Street, Westminster, not far from Victoria Street, and near the western front of the Abbey. These premises are held on lease for a term of thirty-one years, at a yearly rent of 83*l* per annum. The Committee, on account of the suitability of the site, have expended more than 600*l* in providing the necessary accommodation. The premises embrace an office, a dwelling for the Governor, a day-room for the inmates, two dormitories, a range of workshops, including carpenters', tailors', and shoemakers' shops; also a printing-office, four probationary rooms, and the domestic offices necessary for such an establishment. The premises originally consisted of two dwelling-houses and an open yard, covering the space of 4522 square feet of ground, and extending from Great Smith Street into St. Anne's Street, in which the Institution formerly stood. The front dwelling-house, next Great Smith Street, has been converted into the Governor's residence, having the ground-floor rooms made into a committee-room 21 feet by 12 feet, with a separate entrance from the yard, and having the basement converted into lavatories and bath-room, with an external staircase down to the same. The dwelling in the rear next St. Anne Street has been converted into the probation-rooms, having a separate staircase and offices quite distinct from the other parts of the house. Here are also rooms for reading and Bible classes, and the ground-floor contains the kitchen, with boiler and range for cooking; also the store-rooms, &c.

attached, and in immediate connection with the dining-room in the new building. On the vacant ground between the dwellings, and in rear of the front house, has been erected a building having two large dormitories, 45 feet long by 18 wide, on the first and second stories, and a dining-room, used also as a school-room on the ground floor, 39 feet long by 18 feet wide, with a platform at the end of the same. On this floor is an entrance-passage, the Governor's office, a private entrance into the board-room, and a stone staircase communicating with the Governor's apartment, and with the dormitories on the first and second floors. The whole are lofty, well lighted, and ventilated by windows and air-flues built in the walls. On the left of the entrance are the workshops, consisting of a carpenter's shop, 27 feet by 10; shoemaker's 30 feet by 10; tailor's 22 feet by 10; and printer's 33 feet by 9. These extend the whole length of the premises, but leaving ample space between the buildings for the yard exercise of the inmates. The obtaining so much space in such a district is regarded as the provision of a kind, co-operating Providence; and although the expenditure has been heavy, and the terms may be regarded as somewhat high, the Committee feel that for their purpose and object the outlay is not too large."

Important as the Ragged Schools, and particularly that of which we have last written, may be considered, the Industrial Feeding Schools of Aberdeen are still more encouraging and remarkable in their effects. These schools had their origin in the philanthropy and good sense of Mr Sheriff Watson. In the year 1840 it was found that all the sources of juvenile crime which conduce to fill the prisons with child criminals, and to burthen the rate payers with increased charges for constant recommittals, and for continual prosecutions, were more than ordinarily apparent in the gaol expenditure of Aberdeen.

In October 1841, a subscription, under one hundred pounds, was collected, for making the experiment as to whether poor children could be induced to attend these Schools regularly, and to work,—regular attendance and regular work being considered, as it were, the purchase of, and giving a right to, regular shelter and food by day. The attendance at the School is voluntary. A child absent from morning hours receives no breakfast; a child absent from forenoon hours receives no dinner; and if absent from the afternoon hours receives no supper. The children assemble every morning at seven, in summer, at eight, in winter. The day is divided

* See "A Place of Repentance; or An Account of the London Colonial training Institution and Ragged Dormitory for the Reformation of Youthful and Adult Criminals Great Smith-st. Westminster." By Samuel Martin, Minister of Westminster Chapel. Second Edition. London: James Nisbet & Co. Chaps. 3, 4, 5.

into four hours of lessons ; three substantial meals are given, and the whole produce of the work of the children helps to defray the expence of the establishment.

The literary education afforded is such as may best fit the pupils for the duties of their state in after life. The School is opened by prayer and Scripture reading, and by religious instruction suited to their years ; they are taught the ordinary branches of geography, natural history, and arithmetic, combined with careful instruction in reading and writing ; twice every week they are instructed in singing. For breakfast they receive porridge and milk ; the dinner consists of broth with coarse wheaten bread, for which are occasionally substituted potatoes and ox-head soup, and for supper they receive porridge and milk. On Sundays they assemble at half past 8 o'clock for prayers ; breakfast at 9 o'clock ; at 10 o'clock, worship in the school room ; after which they dine and return home, so as if possible to go with their parents to church in the afternoon. At 5 o'clock they again meet and have Sabbath School instruction in the Bible and Catechism ; at 7 o'clock supper, and after prayers the children are dismissed.

The great and distinguishing feature of this School is, that while it affords the instruction common to all schools, and the industrial teaching offered by a few, it possesses the important inducement of food to those who need it most. The success of the first school established was fully acknowledged. It was opened in October 1841, with twenty scholars, and in April 1842, the average daily attendance was fifty-two, the numbers admitted during the year being one hundred and three. The ages of the boys varied from seven to fourteen years ; there were fifteen between the ages of nine and ten, and three between the ages of thirteen and fourteen. In the year 1841 the average attendance was thirty-six ; the average total cost £8 : 6 : 8 ; the cost of food £4 : 11 : 0 ; earnings £0 : 14 : 6 ; nett cost £7 : 12 : 2. In the year 1851 the average attendance was sixty-four ; the average total cost £4 : 18 : 5 ; food £3 : 1 : 3 ; earnings £1 : 14 : 4 ; nett cost £3 : 4 : 1.

The result of this School upon the Prison returns was very remarkable ; for whilst, in the year 1841, the year in which the schools were established, the criminals under twelve years of age amounted to sixty-one, in the year 1851 the number was reduced to five. It is also worthy of notice, that from sixty-one, in the year 1841, the number of juvenile criminals com-

mitted was reduced to thirty, in 1842; yet when, from want of funds, a considerable proportion of the scholars was dismissed in the year 1843, the numbers rose to sixty-three; thus clearly proving not alone the necessity, but likewise the prudence, of supporting these Schools; but, irrespective of all other considerations, we would quote a truth advanced by Mr Thomson of Ban-chory, in a letter upon Reformatory Schools, and which appeared in the journal entitled *The News of The Churches*, March 13th, 1854—"SURELY HEATHEN AT HOME HAVE NO LESS CLAIMS ON OUR EXERTIONS THAN HEATHEN ABROAD."

The success which marked the working of this School induced the inhabitants of Aberdeen to open a Female Industrial School, bearing the appropriate title of "Sheriff Watson's," and a second has been in operation, and is known as the "Girls School of Industry of Aberdeen." For Sheriff Watson's Female School, a very neat and convenient edifice was erected, at a cost of £400, in the year 1851, and this sum has been repaid by means of a ladies' sale, and by subscriptions. From the *Report* of this School, for the year 1853, now before us, and which was adopted at a meeting held in the Court House of Aberdeen, on Wednesday, the 8th of February, 1854, a meeting most numerous and respectably attended, the Lord Provost presiding, it appears that during the year 1853, the number upon the roll was seventy-four, and that the average attendance was 48 3·12, during week days,—41 9·12, on the Sabbath. The balance in bank on the 31st December, 1852, was £73:15:11; during the year, the subscriptions amounted to £99:1:10; donations, £29:15:0; legacies £23:6:4; the total charge was £236:0:9. The reserved fund exhibited an income of £128:8:6 for legacies, one-third of which had been credited to the general fund, leaving a nett sum to the credit of the account of £88:2:2.

A Juvenile School was established in Aberdeen in May, 1845, which has worked admirably, as has also the Child's Asylum. These latter Schools have had the usual marked effect in decreasing the Police returns of Juvenile committals.

Having, in a former paper,* analysed and extracted, at considerable length, from Mr. Thomson's most valuable Essay, *Social Evils: Their Causes and Their Cure*—we shall not reprint what

* See IRISH QUARTERLY REVIEW Vol. IV. No. 13, pp. 58 to 65, Art. "Our Juvenile Criminals:—The School Master or The Gaoler."

we have there inserted, but earnestly recommend all who desire to appreciate the full benefit of the system to read, carefully and attentively, that most valuable little work. We may, however, add, that the Aberdeen experiment has been tried, and with the most perfect success, in Ayr, in Dundee, in Perth, in Glasgow, in Edinburgh, in Stirling, in Grenock, in Newcastle, in London, in Birmingham, in Liverpool, in Bristol, or, we may shortly state, in all our large towns and cities, including Dublin, to which we shall presently refer; and we shall, further on, present a most admirable summary of the rules and principles upon which Ragged Industrial Feeding Schools should be founded and conducted, and we shall claim attention for it as coming from the pen of Mr. Thomson.

Dublin possesses three Ragged Schools, all of which are Feeding Schools, and Sunday Schools, one being also a Broomer Messenger Society and Ragged Dormitory. The oldest School is known as the Ragged School, Lurgan Street, lately Church St., Dublin; it was established as a day School in 1830, and as a Sunday School in 1839; on Sunday, the 4th January, 1852, the numbers attending the School were 165 boys, 107 girls, and 393 adults, making a total of 665 persons, being an increase of 131 in the year; but occasionally the attendance on Sunday amounted to 739. In the day School, on the 7th January in the latter year, the attendance of boys was 125, of girls 62, making a total of 187, being an increase of 70 for the twelve months. It was found that many of these children were houseless and half-starved, and a room, large enough to lodge between 30 and 40 boys, was rented some few minutes walk from the school. On the 26th April, 1851, the Boys' Asylum was opened with 30 occupants; the furniture consisted of two tin sconces, a few vessels to wash in, and also to cook the supper, but the boys were supperless, unless they had earned it or had saved a piece of bread which each received at school. The other furniture comprised fifteen rugs, some loose mats thrown over the beds as substitutes for blankets, and fifteen straw pallets. The Messrs Guinness and Co. bestowed a quantity of hop pockets, out of which the boys made trowsers and jackets and other useful articles for themselves. The boys were merely admitted for the night, and one of their number was placed in charge of the room. During the first nine months, 43 lads were admitted, fourteen were employed by the Shoe Black Society, others were engaged as messengers in the meat, fruit, and

fish markets. The money received during the year 1852, amounted to £551:12:4; of this sum £332:13:7 were expended on bread; for the support and outfit of the asylum for boys, and other expenses, £260:2:8. were required, leaving a deficit of £41:3:11 on the year's income, which, added to the previous balance due to the Treasurer, left the Institution in debt £329:8:0.

The Ragged Schools of Mill-street are the next of the Ragged Schools of Dublin to which we shall direct attention, and were founded in 1850 by the late Mr. Daniel Molloy. Mill St. is situated in the Liberty, and there two large rooms were taken, and the School was opened with five teachers and twelve children. It was an Industrial or Training School, but the number of scholars increased rapidly, and the average daily attendance in the year 1851 was 60, the total attendance during the year being 14,639. The average daily attendance, during the year 1852, was 66; the total attendance during the year was 16,665. At the Sunday School attached to this Institution the average attendance in the former year was 149, total 7,738; in the latter year the average was 165, the total 8,135.

The male and female Ragged and Sunday Schools, 27, Townsend St. next claim attention. The President is Mrs Whately, the wife of the Archbishop of Dublin; the collectors are the Hon. Mrs Thomas Lefroy, Mrs Henry Martley, Mrs Hawkins and Mrs W. Digges La Touche. The names of these ladies will at once prove that the Industrial Ragged School movement has in Dublin as its advocates our most influential families. The Townsend St. Ragged Schools were opened in October, 1852. The adult classes were opened on Sunday, the third of that month, and the daily School for boys on the Monday following, when only four children attended. The number of juvenile pupils increased, and at the close of 1853 amounted to 77, and during this latter year 40 boys were sent to respectable situations; 37 of these boys, it is stated, had formerly been Roman Catholics. A school for girls and infants has also been opened, and although at first thinly attended, the former now numbers about 40 pupils, and the latter between 50 and 60.

The chief fault we find with all these schools is, that although clothes and food are given to the very destitute who attend the week day schools, and although bread is given to those who attend the Sabbath schools, and whilst the children receive neat overalls which they wear as a uniform during school hours, yet they are taught no useful employment; and it is our deliberate and care-

fully considered opinion, that a school teaching the elementary branches of literary education, even though religious instruction be combined with it, and supplying food, yet neglecting to afford industrial training, is a positive disadvantage, because it fits the children to be something, and yet teaches them nothing. And herein it is that we find the chiefest pleasure in analysing *The Second Annual Report of the Dublin Ragged School Broomer and Messenger Society, for the Year 1853*; and we regard this Institution still more, as its office at No 62 Great Strand St. is also occupied as a Dormitory. From some of the previous *Reports* of the Dublin Ragged Schools to which we have referred, it would appear that the philosophy of the work, *Chapters on Prisons and Prisoners*, by our esteemed countryman, the Rev Mr Kingsmill, has not been unobserved by our charitable public, and to the Committee of the Strand St. Institution, to whom the son of that most respected Judge, Baron Greene, is so efficient an honorary officer, its fullest and plainest teaching has become a guiding principle,—and christian wisdom has ever inculcated work with virtue, and has ever shown that they who seek for support, and can work to gain that support, must work.

The history of this School is simply as follows, and we give it in the words of the report:—

“ When, in the month of March, 1852, a few gentlemen met together for the purpose of organizing this Institution, they could hardly have expected that, before the expiration of two years, they would be enabled to publish a balance-sheet, showing a gross total of receipts amounting to £380. Although it is but a repetition of what has been so frequently explained, both in appeals and in the report for last year, it is, nevertheless, thought advisable to give a short statement of the nature of the Institution, for the information of those who may be unacquainted with it. The Ragged Schools of Mill-street, Lurgan-street, and Townsend-street, afford all that is necessary in the way of instruction to the ragged and destitute children of this city; but it must strike any one who visits these schools, that the outward appearance of most of these children is truly wretched, some being scarcely able to appear at school, from want of decent clothing. The question immediately occurs, ‘ Can nothing be done, while cultivating the minds of the children, to ameliorate their external condition, and make them useful members of society?’ Now, this is exactly the aim and object of the ‘ RAGGED SCHOOL BROOMER AND MESSENGER SOCIETY.’ According as opportunity offers, it takes in rotation from the several Ragged Schools, the most deserving boys, and provides them with a home, clothes, and remunerative employment, either as Broomers,

in sweeping steps and cleaning brasses on hall-doors, as Messengers in shops and public offices, or in any other way in which the public may require their services. While habits of self-dependance and industry are thus encouraged, the intellectual and moral culture of the boys is not neglected. The Society employs an efficient Superintendent and Schoolmaster, who instructs the boys, for two and a-half hours every evening, after the work of the day is ended. No distinction is made as to the religion of those employed; but it is an indispensable qualification and rule, that no objection shall be made by any boy to reading and studying the Scriptures. There is also a Sunday School, which every boy is bound to attend, and at which some members of the Committee are always present to assist in the teaching. Such is a general explanation of the *nature* of the Society; how far its efforts have been successful must be left to the judgment of those who have employed boys from it. And although complaints have been sometimes made, the Committee are rejoiced to be able to report, that, for the most part, the conduct-books bear witness to the satisfaction of employers with the behaviour and capabilities of the employed. There is, however, one other circumstance to which the Committee would refer, as exemplifying the usefulness of their Institution, viz.—the number of boys who, having been taken into the Society in a most destitute condition, have been provided with clothing, instruction, and employment, and who, having remained during a probationary period under the auspices of the Society, have finally left it, and entered upon permanent situations. In this way eleven boys have been provided for; one being employed as clerk in a solicitor's office, two as general servants, three in mercantile establishments, three as messengers in public offices, and two having entered the navy. In the spring of the present year, it was resolved that a subscription list should be opened, to procure a fund sufficient to establish a dormitory for the boys, many of whom, being orphans, were compelled at that time to seek shelter at night in the Refuges, and other places, where they were exposed to many temptations, and in danger of contamination from those with whom they mixed. The appeal was speedily responded to, more especially by the tradespeople of this city, who, when waited upon by members of the Committee, with very few exceptions, joined heart and hand in furthering the proposition. The Committee wish to take this opportunity of again returning their most grateful thanks for the co-operation of the public in their scheme. There are at present 15 boys, to whom the Society affords employment, and the Committee are desirous that its benefits should be extended to a larger number. They are willing and anxious to perform their part of the undertaking; and it remains only that the people of Dublin should more generally employ the boys. Should they do so, no efforts will be spared to ensure satisfaction and punctuality in the performance of their duties by the boys; and, in return, the Committee would only request that, if mistakes and neglects sometimes occur, the employers will recollect that it is with boys (and with boys taken from the lowest ranks of the city) they are dealing, and not with steady, sober-minded men. Let them be

lenient with those failings, which well-timed rebukes and friendly advice, are more calculated to remedy, than severity and impatience. At the same time, the Committee will feel obliged to those persons who, having any cause of complaint against the boys employed by them, will take the trouble of signifying the same to the Superintendent. In conclusion, the Committee are anxious to state, that they have it in contemplation to establish a small Lending Library of useful and entertaining books of a religious character, for the benefit of the boys in the employment of the Society. The utility, one might almost say the necessity, of such a step cannot fail to strike those who are at all acquainted with the spread of infidel and irreligious publications at the present day—publications which are issued at prices so low as to put it in the power of almost the poorest to procure them. To counteract their pernicious influence, as well as to infuse into the minds of the young, sound principles, are the objects which the Committee have in view in establishing a Library for the boys; and they have to return their grateful thanks to William H. Pim, Esq., for a liberal donation of £10 for that purpose, as also to M. M'Bride, D. W. Davison, W. T. Wylie, and R. Butcher, Esqrs. of the United States, who having visited the Institution during the past summer, presented the Society with books to the amount of £2. 10s., as a mark of the satisfaction which their visit afforded them. An application has been made by the Committee to the Religious Tract Society for assistance, and they have kindly acceded to the request, by granting books to the amount of £5. 6s. 8d. upon the payment of £2. The Balance-sheet will show that the expenses of the Society are necessarily large; but, looking back upon the past, the Committee are led to express a hope that that support, which has hitherto been so liberally extended, may not be diminished, but rather increased, so that a larger number of the destitute youth of the city may be provided for, and taught the value and sweetness of the bread of labour; and that fresh opportunities may be afforded for displaying our gratitude to Him who hath made the rich to differ from the poor, who is the common Father of both, and who has taught us that the elevation, both physical and moral, of the poor, is the most acceptable way in which we can employ those talents which he has committed to our charge.

BALANCE SHEET FOR 1853.

CR.				£.	s.	d.
By Balance from last year's account	...	...	...	9	16	11
Donations to Dormitory Fund	...	...	...	108	15	5
Annual Subscriptions	...	...	...	98	0	2
Broomer Subscriptions	...	...	...	15	19	7
Boys' Earnings	...	...	...	149	17	5½
				<hr/>		
				£380	9	6½
				<hr/>		

DR.					£	s.	d.
Pay of Boys	...	...	...	...	105	13	4½
Superintendent's Salary,	...	...	...	...	34	3	6
Furniture,	...	...	...	...	75	1	6
Clothes,	...	...	...	...	59	6	3
Painting and Repairs,	...	...	...	...	26	11	8
Rent, ...	...	...	...	...	34	5	0
Brooms, Brushes, &c.	...	...	...	...	13	9	0
Coals and Gas,	...	...	...	...	12	7	0
Printing, Advertising, &c.	...	...	...	...	6	19	10
Incidentals,	...	...	...	...	5	13	11½
Stationery,	...	...	...	...	5	2	3
Medicine,	...	...	...	...	0	19	6½
					<hr/>		
Balance in Treasurer's hands					£379	12	10½
					<hr/>		
					0	16	8
					<hr/>		
					£380	9	6½
					<hr/>		

I have examined the above account and find it correct, leaving a balance in the Treasurer's hands of 16s. 8d.

LATHAM C. WARREN."

Several of the other Ragged Schools of Dublin have, in their *Reports*, acknowledged, the very great benefit which has accrued to their own Institutions, from the Dublin Ragged School, Broomer and Messenger Society, through the premium which advancement into the Society holds out to pupils from the lesser Schools: the scale of charges in the Brooming Department is, for sweeping steps and pavements in front of houses, and cleaning brasses of hall doors, fifteen shillings per annum; eight shillings for half a year, five shillings for a quarter, or four pence per week. No in-door work can be undertaken by the boys at the charge of less than one shilling per week; and the charges of such work are regulated by the time for which the boys are employed.

The Roman Catholics have opened Ragged Schools in Dublin for the poor of their own communion; and some of the establishments are Industrial Feeding Schools. The first of these Schools was established in the year 1850, and the first *Report* was issued in 1852.

From the *Second Annual Report of the Committee of the Catholic Ragged Schools, ending May 31st, 1853, Adopted at the Annual General Meeting, Held in the Church of St. Paul, on Sunday, June 19th, 1853, His Grace the Lord Archbishop*

of *Dublin** Presiding, it appears that in the year 1851-2, five Sunday Schools and one Daily School were in operation, situated in the following streets, and containing the numbers indicated by the following figures:—

Sunday Schools only.	{	North Anne Street	550
		Temperance Hall, Halston Street	320
		Church Street	700
		Chamber Street	350
		Black Pitts	425
		Chamber Street Daily School	160

Showing an aggregate attendance of 2,505

During the year ending May 31st, 1853, a Sunday and Daily School was opened in the parish (Roman Catholic) of St. Andrew; the Black Pitts and Chamber-street Sunday Schools were abandoned, and the scholars amalgamated with a Sunday School opened during the year in New Row; the Church-street Sunday School was closed, and the scholars distributed amongst the other schools. At the date of the *Report*—no other has been, to the period at which we write, issued—the situations of the Schools, and the numbers attending, were as the following table shows:—

Sunday Schools only.	{	New Row School	800
		North Anne Street	600
		Temperance Hall, Halston Street	350
		Westland Row	480
		New Row Daily School	280
		Westland Row Daily School	220

Showing an aggregate attendance of 2,730

being an increase, for the year, in aggregate attendance, of 225 scholars.

Many of these children have been fed in school hours, and over 300 received clothing during the winter of 1852-3. For the year the subscriptions amounted to £500 : 11 : 8; and at a Bazaar held in the month of April, 1853, and devoted to the support of the charity, the proceeds amounted to £286 : 1 : 10; giving an income, for the year, of £786 : 13 : 6. The

* His Grace Archbishop Cullen is meant

expenditure amounted to £550 : 15 : 5 ; leaving a balance in Bank, and in the hands of the Treasurer, of £235 : 18 : 1.

We have endeavoured to render the information contained in this paper, regarding the Dublin Ragged Schools, as copious as possible. We feel deeply grateful to Mr. Richard J. Greene, the Honorary Treasurer of the Dublin Ragged Dormitory, who has most kindly procured us reports of the Protestant Ragged Schools ; and we express our thanks to Mr. Richard Kelly, one of the Honorary Secretaries of the Roman Catholic Ragged Schools, who has aided us in obtaining accurate statements respecting these Institutions. We have not dwelt upon the polemics of either of these bodies ; it is sufficient for us if we find that some men, be their religion what it may, so it be Christian, will show to these children that there are Samaritans beyond the wall of the Gaol ; and that there are teachers other than those known as Prison Chaplains. Mr. Clay, Mr. Field, and Mr. Kingsmill, may reform the guilty ; but why should they be forced to reform those who would never be guilty were they taught to be virtuous ; and taught, *at the same time*, to be industrious. These two great principles must be inculcated simultaneously, and all the wisdom of the question we advocate is contained in two sentences of Mr. Thomson's paper—*Prevention is better than Cure*,—"Men often talk as if reading, writing, and arithmetic, were the whole of education. In truth, they are invaluable as means to an end ; but real, true, education consists not in these, but in training up and moulding the immortal spirit which tenants the tabernacle of clay."*

The question is not, shall we rear little Protestants or little Roman Catholics, but, shall we rear little "City Arabs," little "Home Heathens." Rear them Protestants if they will be Protestants, rear them Roman Catholics if they will be Roman Catholics, but let us, for God's sake, rear them something worthy of Him whose image they bear. Be the religion of our reader what it may, he must agree with us, and with the high-souled man who wrote of these young ragged sinners :—"Let us all rather join heart and hand in the noble work of teaching those sunk in the animal life, the brighter hopes which await them : let us show them that there is a happiness of which they have as yet no idea, but which when once felt is not forgotten ; and when

* See "Meliora," Second Series, p. 123.

they have come to that knowledge and felt that happiness, we may safely leave them to their human instincts to pursue it. They and we may then walk together in the steps of our meek and lowly Master through life, and when that is over, share together in his exaltation.”*

So far we have written of free, voluntary, Industrial Schools, and we now turn to those which are correctly designated Penal Schools, and we shall first refer to the most remarkable,—that which was called the Philanthropic Institution, but which is now known as the Redhill School. It was founded about 64 years ago, for the reformation of the poor and depraved children who at that period infested London; but its original object has been departed from, and it is now devoted solely to the reformation of those boys who have entered on a criminal career. They come to the School—volunteers after completing their imprisonment,—or at the desire of their parents, that the formation of industrious habits may be made upon a foundation of repentance,—or after having received a conditional pardon, owing to their good conduct while in gaol. Over these last only has the Institution any legal hold, and yet they have generally proved the most difficult to manage; and this fact the Rev. Mr. Turner, the chief advocate of the Institution, accounts for by stating, that “as a general rule the best prisoner makes the worst free boy, the most difficult and troublesome boy to deal with, because he has been so accustomed to depend upon the mere mechanical arrangements about him, that he finds self action almost impossible; such are the most reluctant to work, and the most untrustworthy; directly they are free certain dispositions develop themselves, which, under the restraint of the prison, were mastered and hidden.” The boys wear coarse comfortable clothing and are provided with wholesome food. It is an Agricultural School, and the pupils are taught to be indifferent to weather, and to work at all times, just as the laborers who teach them. Moral control is, of course, exercised, and literary instruction is imparted; the ages vary from 14 to 18 years. Some few

* See “The Philosophy of Ragged Schools,” p. 123. We recommend this exquisite essay to all who feel an interest in the subject, and who desire to read the sentiments of an eloquent advocate expressed in the most powerful and convincing language.

are unwilling to work at first, as the change, from a cell or a home to open air labor, is disagreeable ; but in a short time "four fifths of the boys yield to the influence of the School."

The first stone of the *present* institution was laid by Prince Albert in the year 1849, as a farm school for criminal and vagrant boys at Redhill, Reigate, Surrey. It consists of eight houses, arranged at either side of a large and handsome Chapel, each house being calculated to accommodate 60 boys ; thus carrying out the "family" arrangement of Mettrai and of the Rauhe Haus. Each house is so arranged as to permit the family's being taught cookery, and all ordinary domestic duties, and, in addition, gardening, husbandry, and the mechanical arts useful in farm labor. By the *Report* for the year 1852-53, of Mr. E. Carleton Tuffnell, one of her Majesty's Inspectors of Schools, we find that this Institution is composed of 178 boys, who are divided into the three classes already indicated, namely—the voluntary,—those who receive a conditional pardon,—and those who come at the instigation of friends. For this latter class a payment of about five shillings per week is demanded, but when the friends are poor much less is taken. The families are kept distinct, each under a Superintendent answerable only to the resident Chaplain, who is the chief Director, but responsible to the Committee, who meet every fortnight. Two of the families consist of 50 each ; one of 60, of the older boys ; the fourth contains 20 lads employed in the stable, cowhouse, and farm yard, who are changed for others at the beginning of each month. The class of 60 is considered too large, and it is contemplated to diminish it, and to add to the farm yard class.

The number of boys received into Red Hill, from the opening of the school in 1849 to the first of March 1853, was 441. Of these, 225 have been discharged. More than 200 of the 225 were provided with situations, and the others proved incorrigible. An epitome of the working of this school may be given as follows:—75 per cent of the whole are reformed, and have become industrious members of society ; 25 per cent relapsed into their old mode of life, at least for a time.

Mr. Tuffnell considers that the "families" of 40 or 50 are too numerous to be placed under one teacher ; and he instances Mettrai and the Rauhe Haus as proving, by their practice, the necessity for subdivision. We have already shown that at

Mettrai there are one Chief Master, and two assistants to every "family," the "families" consisting of about forty each, whilst at the Rauhe Haus there is one master to every twelve boys; and in this recommendation of greater subdivision and an increased number of masters, Mr. Tuffnell is warranted by facts, and by the result of comparison with the foreign Institutions: to some other of Mr. Tuffnell's objections we shall hereafter refer.

Parkhurst Prison is situated in the Isle of Wight, and is a penal establishment for boys who have been sentenced to transportation. The ages of the Convicts vary from ten to eighteen years, but many have been sentenced whose ages are not nine years, and occasionally these latter juveniles have amounted to sixty or seventy in number. When a boy arrives in the prison, he is placed for some time in a probationary ward, and in separate confinement: during this period he is not allowed to communicate with the other lads, but for about five hours every day he is, during the period of exercise, instruction, or religious service, in their presence; but, whilst in his cell, he is supplied with occupation and books, and is visited by the prison officers. During this period of separation neither the health nor spirits of the prisoners appears affected, and when the time of probation has expired, the new boys are placed with the others, and learn trades, converse and play together, under the care of the Wardens. The stay of the boys in Parkhurst is generally from two to three years, and the effects of the system upon the conduct of the prisoners is generally satisfactory.

During the year 1852 the total number of prisoners was 822, and the total number of offences of all classes was, in the wards 1798, in the schools 349, making a total of 2147. It must be remembered that many of these were the ordinary offences of school boys, and the Rev. Mr. Smith, the Chaplain, writes, "I have to report very highly of the orderly and good conduct of the boys, and of their attention to the rules of the prison: leaving out of consideration altogether the long training which our boys have had in evil practices, and thinking only of what human nature is, I suppose I must not expect to see a better moral state than that which now exists;" and the Chaplain of the junior ward reports in terms equally favorable.*

The Parkhurst boys are those who are sentenced to a probation before transportation, and like those of Redhill they

* See "Reports of the Directors of Convict Prisons for the Year 1852," pp. 53, 54,

are employed in agricultural pursuits. The average number received for the last three years has been about 168 per annum : the numbers in confinement in January 1852, were 758, and during the year 1852, 164 boys were admitted, making a total of 822 ; of these 81 were removed to Van Diemen's Land, 1 to Western Australia, 44 to the public works at Portsmouth, 20 to the public works at Portland, 12 to the public works at Dartmoor, 10 to Pentonville Prison, 4 to Millbank Prison, 1 to the "Stirling Castle" Invalid Hulk, 4 were pardoned, 1 was pardoned on medical grounds, and 8 died.

The boys were instructed in draining and trenching land, in sowing and planting, taking in different crops, and, generally, in all the work that was required in carrying on a farm : the crops were somewhat above the general average, considering that the land is the heaviest description of clay. The mangold wortzel averaged about 43 tons per acre upon the whole crop ; the wheat, owing to the superior value of spade husbandry, complete draining, and the careful application of liquid manure from the prison, barracks, and other sources, averaged seven quarters per acre : three acres of flax of first rate quality were grown, and it is to be regretted that the boys were not supplied with the means of preparing this in its first stage for the market (an excellent indoor employment for the winter months) as it would have proved a paying crop. The total cost of the Parkhurst Prison for the year, exclusive of buildings, amounted to £12,562 : 18 : 6. After deducting the earnings of the prisoners, a sum of £2,008 : 1 : 3, and house rent paid by officers, £192 : 11 : 6, the nett cost of the prison was £10,362 : 5 : 9,—the daily average number of prisoners during the year being 563, the nett cost of each was £18 : 8 : 1.

To the most excellent *Report* of Lieut. Colonel Jebb, which we take these figures, we shall have occasion in a future paper to return ; but we think it right to state that he, like Mr. Thomson, considers that our future course of juvenile reformation should be one of prevention, and that prevention should be founded on education, and upon a system of police regulation which would remove the incentives to vice.

Formerly the boys at Parkhurst were not permitted to enjoy sufficient association, and were treated too much as prisoners : this was an error which experience has served to correct ; and allowing for the difference between the class, and the ages of

the criminals in Mettrai and Parkhurst, we cannot consider that our philanthropists have any grave reason to feel dissatisfied with the national experiment.

An Institution at Stretton-on-Dunsmore was established, in the year 1818, by some magistrate of Warwickshire, for the reception of from 12 to 20 boys, who are hired as laborers from the Warwick and Birmingham gaols before their period of imprisonment has expired. From the foundation of the Institution cases of reformation have increased from between 45 and 50 to between 60 and 70 per cent; but yet, admirable as this Institution has proved, it has not been self supporting, owing to the decline of subscriptions; and as the Legislature has given no authority to detain the pupils, the full working of the plan has not been sufficiently tested. Yet, as was well said, by the Rev. H. Townsend Powell, at the Manchester Conference of 1851, "the system adopted is a system of kindness and persuasion, blended, nevertheless, with salutary coercion and correction. The object is to get, as it were, behind the scenes of the heart, and then to explain to the young offender man's double nature; to teach him he must be either the servant of God or the servant of Satan; to explain to him how all the unhappiness of which he is conscious, is attributable to following the suggestions of Satan, and that there is no joy, or peace, or happiness, or comfort, to be compared to that which is the gift of God to those who love and fear Him."

The cost of the system is remarkable: from the year of the foundation, 1818, to the year 1827, the annual cost of each boy was £40; from 1827 to 1844 the cost was £26; in the year 1848 the cost was £27:18:9½; in 1851 it was £25:4:3¼; in 1852 it was only £22:13:1¾. It is right here to remark, that the cost of reformation per head in this Institution is £80, whilst the cost per head of our prosecution and transportation, which mean anything but reformation, is about £217 per head.

We have now named our chief institutions of a reformatory character, whether penal or voluntary, but there are many others to which we would wish to refer,—such as the Durham Refuge, The Refuge for the Destitute, at Dalston, Mr. Wright's School in Manchester, and various others of lesser note, but all formed upon the principle, the great philosophy of which was first enunciated by the Committee formed to examine into the state of Juvenile Crime in Newcastle and Gateshead—

"THAT A CHILD, EVEN WHEN CRIMINAL, SHOULD BE TREATED AS A CHILD, AND SENT TO A REFORMATORY SCHOOL, AND NOT TO A GAOL."

Private individuals have long since known this fact to be the true guiding principle of legislation upon this subject. Years ago John Pounds, the crippled cobbler of Portsmouth, acted upon this plan. Twenty-four years since, the Managers of our own Lurgan St. School discovered the secret. Twelve years ago Mr. Sheriff Watson proved practically, and upon a large scale, the truths, the practicability of which these had, in a minor degree, but indicated. That the great principle of Industrial Feeding Schools has at length engaged the attention of the country is an undoubted fact. They are talked of at County Meetings; their cost is discussed at Gaol Boards, and at the meetings of Boards of Guardians; and we may safely assert, that when the philosophy of any principle becomes known in these Kingdoms, and approved in its policy by the rate payers, its success is as certain as its reasonableness is indisputable. Mr. Thomson proves the principle in facts and figures, and in his excellent paper in *Meliora*, entitled *Prevention is Better than Cure*, he writes of Free Reformatory Schools, that there is just the same difference between a pupil in an Industrial Feeding School and one in a Penal School, such as that at Parkhurst, as there is between a willing and a reluctant scholar at Eton or Rugby: in the one case the instruction is received voluntarily, and with the sincere desire to profit; in the other it is forced upon the inmates.*

If, indeed, Ragged and Reformatory Schools were more costly than prisons, some objections might be tenable; but they are much cheaper, and what is far more important, much more effective in conducing to amendment, and to a consequent lessening of the public expenditure. Children beg, and will beg, who know no other means of support. Nearly two hundred years ago, that wonderful and thoughtful patriot, Daniel Defoe, stated that begging is a shame to any country: if the beggar is an unworthy object of charity, it is a shame that he should be *allowed* to beg; if a worthy object of charity, it is a shame that he should be *compelled* to beg. And this, doubtless, is the fact. Lord Teignmouth, and John Leigh, Esq., the Stipendiary Magistrate for Wolverhampton, in their papers

* See this excellent paper to which we have referred, in "*Meliora*", Second Series, p. 118.

contributed to *Meliora*,* assert that all the evil of juvenile crime results from the habitual neglect of our Legislature to provide proper checks to its commission, and reasonable safeguards against criminal relapse; and here these writers but support that opinion so eloquently expressed by the Rev. Mr. Guthrie, in his appeal to the good sense of the nation in the support of Industrial Ragged Schools, when he asks, "do you fancy that by refusing this appeal, and refusing to establish these schools, you (the public) will be saved the expense of maintaining these outcasts? a great and demonstrable mistake. They live just now; and how do they live? Not by their own honest industry, but at your expense; they beg and steal for themselves, or their parents beg and steal for them. You are not relieved of the expense of their sustenance by refusing this appeal. The old man of the sea sticks to the back of Sinbad: and surely it were better for Sinbad to teach the old man to walk on his own feet."†

And how, it may be asked, can this system which we advocate be carried out to a successful issue? Unhesitatingly we reply, by making a bill for the suppression of juvenile delinquency, and which has been drawn up with special reference to Scotland; the model of one to be extended to England and Ireland, with such modifications as may seem necessary to meet the peculiar requirements of each country. The bill is entitled, "*A Bill for Making Provision to Prevent and Suppress Juvenile Delinquency, and to Regulate Reformatory and Industrial Schools for Juvenile Offenders and Vagrants, and for other Purposes Relating Thereto*," and contains fifteen sections.

The First Section provides, that when any boy or girl, apparently under the age of sixteen years, shall be brought before any Sheriff or Magistrate, charged with any offence, which it shall be competent to such Sheriff or Magistrate to try, and if it shall appear to them, or either of them, that such young person has been neglected in education, or in moral and industrial training, or that it is otherwise expedient, it shall be lawful for such Sheriff or Magistrate, instead of adjudging the offender, upon conviction, to suffer punishment, either to delay the time

* See "Ragged and Industrial Schools," by Lord Teignmouth, and "Juvenile Offenders, and Destitute Pauper Children," by John Leigh, Esq., in "*Meliora*," Second Series.

† See "A Plea for Ragged Schools, or Prevention better than Cure." By the Rev. Thomas Guthrie. Edinburgh, 1847.

of passing sentence, or to cancel the conviction, and order such young person to be sent, at once, to a Reformatory School, School of Industry, or other similar Institution where industrial training forms a prominent part of the system pursued therein, (whether such school be wholly supported by voluntary contributions, or established and continued under the powers hereinafter contained), and to be therein detained for such period of time as may be deemed necessary for his or her proper secular and religious education, under training in habits of industry, which period shall not be less than one year,—but such young person shall not be detained beyond the age of eighteen without his or her consent. The act also provides that the Schools must be approved by the Lord Advocate of Scotland, and the Directors must be willing to receive and keep the pupil for the directed time, or the committal will be imperative. It further provides, that if the young person shall abscond from the school he may be brought up for sentence upon the original conviction, and sentenced as if he had then, for the first time, appeared before the court: but if he shall serve out his time, he shall go forth free, and the offence which led to his commitment to the school shall be taken to be expiated, and shall not be deemed an aggravation of any subsequent offence of the like kind.

The Second Section provides, that when any boy or girl, apparently under the age of sixteen years, shall be found begging or wandering, without settled home or guardianship, or lawful, visible means of subsistence, such boy or girl, although not charged with any actual offence, shall be brought before the Sheriff or Magistrate, by any constable, and the Sheriff or Magistrate shall inquire into the circumstances of the case, and shall hear the parents, or guardians, or persons interested in the boy or girl, and shall require security for the good behaviour of the boy or girl, in a sum not less than £1, and not exceeding £5, for any period not exceeding twelve calendar months. The clause then provides, that if the security shall not be found, the young person shall be sent to a Reformatory School, with the restrictions and provisions as to age and other points as provided in the conclusion of the First Section.

The Third Section directs that if the young person shall abscond, in either of the cases provided for in the two former sections, the Sheriff or Magistrate shall have power to add three months additional imprisonment for this offence to that period

which would have been adjudicated in the first instance, had no committal to a School been provided, and even after the expiration of these three additional *prison* months, he shall be empowered to commit the young criminal to a Reformatory School ; in all cases, however, the School commitments cannot extend beyond the eighteenth year.

The Fourth Section provides, that if any person shall aid in the escape or concealment of the ~~escape~~, of any boy or girl from such Reformatory School, such persons shall be liable to a penalty of not more than £5 upon the complaint of the Treasurer or other officer of such Institution, to be recovered by summary complaint before a Magistrate who, on conviction and failure of payment, shall have power to commit such person to prison for a period not exceeding sixty days, unless the penalty be sooner paid ; and such penalty, deducting the expence of prosecution, shall be paid over to the Treasurer of the Institution in which such young person was placed, for behoof thereof.

The Fifth Section provides, that in every case where any such young person has been sent by any Sheriff or Magistrate to such Institution as aforesaid, it shall be competent for the Treasurer, or other officer of such Institution to demand, under the authority of the Sheriff or Magistrate, from the parents or guardians of such young person, the payment of the expenses of such person, as incurred by the Institution. It is further provided that such parents and guardians shall be proceeded against, as in the case of parties concealing absconding pupils, and shall, upon default of payment of the expenses of the pupil, be imprisoned as provided in the case last mentioned.

The Sixth Section directs that where, upon conviction, any young person shall be sent to a School supported by voluntary subscriptions, instead of to a prison, and when the parents, or other person liable to pay for such young person shall be unable to pay the sum demandable by the school, then the Treasurer of the school shall be entitled to demand from the Prison Board of the county or city in which such young person was convicted, the sum due for his support and teaching to such school. It is further provided that when, under the Second Section, any young person shall be sent, without conviction, to a Reformatory School, and the persons chargeable for his support in such School shall not be able to pay the sum due, then the Treasurer shall be entitled to demand such sum from the Parochial Board of the parish, in which such young person,

if a pauper, would have been entitled to demand relief; the sum so paid shall become a charge against the Prison or Parochial Boards, for the year, and shall be recoverable and sued for within three months, after the lapse of such year, the amount to be sued for under the *Small Debts Act*, and recoverable even though the amount exceed the sum limited in that act; and when the Prison or Parochial Boards shall have paid said sum, they shall have a claim to indemnification against the parent, or person primarily liable.

The Seventh and Eighth Sections are very important. They provide that where any two or more Commissioners of supply, or any two or more Commissioners of Police, of any town having a special Police act, shall consider that it is desirable to establish or to continue the support of such Schools, or Institutions, as are indicated in the First Section, in their district, they shall give notice, three times at least in some local newspaper, of their intention to bring the subject before the Commissioners of Supply or Police, at a special meeting. It is then provided, that if the majority of members attending the meeting shall be of opinion that such Schools should be established, or continued, if already established, application shall be forthwith made by them to the Principal Secretary of State for the Home Department, representing the necessity for such School, with or without land for cultivation, together with estimates of the cost of such buildings as may be required, and upon certificate of approval by such Secretary of State, the Commissioners of the Treasury shall appropriate a sum for such building purposes—the maximum sum to be regulated at the passing of the Bill now before us. The money to be paid out of the Consolidated Fund; the property in the Schools to be vested in trust in such persons as the Commissioners of Supply or Police shall, with the approbation of the Secretary of State, appoint.

The Ninth, Tenth, and Eleventh Sections provide that in every subsequent year at the first ordinary general meeting of the Commissioners, the Commissioners then assembled shall elect a sufficient number of persons, either of their own body or otherwise, to be the members of, and to constitute Boards of Management for such School or Schools during the year ensuing; such persons to be in number equal to one-half of the whole number of such Boards, which Boards shall consist of not less than eight and not more than twenty persons, exclusive of the *ex-officio* members; and the number shall be fixed, by the Sheriff for the County

Board, and by the Lord Provost, or First Bailie, for the Burgh or Town. It is provided that no person shall be capable of being elected by the Commissioners of Police, a member of such Board, in any burgh or town, unless he shall be rated for the purposes of Police for such burgh or town, on a rent of not less than £10; and the voluntary contributors towards the annual cost of such School or Schools to the amount at least of one pound yearly, shall meet annually, and elect from among themselves a number of members of the Board of Management for such School, in number equal to the other half of said Board, and not being Commissioners of Supply or Police; the Sheriff and Sheriff Substitutes of the county wherein said School or schools are established, and the Provost or Chief Magistrate, and the Senior Bailie where there is a Provost, and the Second Bailie where there is not, of any such burgh or town, shall, *ex-officiis*, be members of Boards of Management for the county and town respectively. Five members of such Boards shall constitute a quorum, and the Board shall hold Meetings once at least in every month at the School, or in some convenient place in the neighbourhood; and at their first meeting, after the annual meeting, shall choose a Chairman for the year ensuing, and who, in the event of an equality of votes, shall have a casting vote, besides his deliberate vote. It is also provided that the Board shall have power to make necessary rules, and to elect and dismiss officers, such rules, however, to be approved by the Lord Advocate.

The Twelfth Section provides that the Commissioners of Supply for any county, and the Commissioners of Police for every burgh or town, for the use of which any such Schools shall be established or continued, may, at some one of their ordinary meetings, in every year, assess a special rate upon such county, burgh or town, and the rates shall be collected, levied and recovered, in the same manner and by the same powers, and under the same penalties, as the ordinary Prison assessment for the county, or Police-rate for such burgh or town; provided that no greater amount shall be annually assessed in any county, burgh, or town, than at the rate of *One Penny* in the Pound of value of the property rateable to the Prison-assessment of such county or Police-rate of such burgh or town; nor shall the annual amount of such assessment in any one year exceed two thirds of the whole expence of any such School.

The Thirteenth Section provides that the Boards of Management of the School of Industry shall certify under the hand

of the Secretary or Treasurer, the expenditure which they shall from time to time have incurred in managing and maintaining the School, to the Commissioners of Supply and of Police, and the proportions payable from the county and burgh assessments, or rates shall be paid by the Clerk, Secretary, or Treasurer of such Commissioners, out of the assessments and rates, to the Treasurer of the Boards of Management, whose receipts shall be a legal discharge.

The Fourteenth Section provides for the union of counties and towns for the purposes of the act.

The Fifteenth Section provides, that all Schools taking the benefit in any way of the act, shall be entitled to receive, from the Education Committee of Her Majesty's Privy Council, aid equal in amount to the sums raised by voluntary contribution or local assessment, for the annual expense of such School, and that under such modified and varied regulations, as to the accommodation required and the qualification of Teachers, as the Committee of Council may make, in order to admit these Schools to the same degree of support as is now given by the Privy Council to ordinary Schools throughout the Kingdom, all Schools receiving such aid shall be open to the Inspection of Her Majesty's Inspector of Schools, or to any other Inspector specially appointed for the Inspection of Schools taking the benefit of the act.

The provisions of this Bill appear to us to merit the very deepest attention, and the most anxious care in legislating upon them. The principle is excellent. It is that of *prevention*, so strongly supported by Mr. Frederick Hill in his able work, *Crime, Its Amount, Causes, and Remedies*; and strenuously as Mr. Hill, incited by his great experience as a Government Inspector of Prisons, presses the point of prevention, and of parental responsibility, he is fully supported by Miss Carpenter, by Mr. Thomson, by Mr. Recorder Hill, by Mr. Joseph Kay, by Sir John Pakington, by Mr. Leigh, by the Rev. Mr. Field, by the Rev. Mr. Clay, by the Rev. Mr. Kingsmill, and by the Rev. Mr. Davis—these last being the most distinguished of a body to whom the Nation is already deeply, and will be yet more largely indebted—The Prison Chaplains.

We have devoted much space to a full analyzation of the Bill, and we have done so because we are convinced that it is calculated to be of vast service to the country. Our good and esteemed friend, Mr. Thomson, informs us that it has been more than five years in preparation, and that to the consider-

ation of its provisions, Sheriff Watson of Aberdeen, Sheriff Barclay of Perth, Mr. Dunlop, the Member of Parliament for Greenock, have, with Mr. Thomson himself, and other friends of the criminal or destitute juvenile offender, given all the value of their practised experience. "I think," writes Mr. Thomson, "in its present state it is a very admirable measure,—considering that it is altogether a new kind of legislature, breaking down the barriers of the old criminal system, so far as juveniles are concerned—and I only wish it safe through both Houses."

That this Bill, or some other founded upon its provisions, must become law no man can doubt. Every police office report, every charge from the bench, every prison report proves the utter absurdity and extravagant inutility of our present system. To commit children to gaol is a crime against the National resources if reformation be not attempted. Short imprisonment, as the Rev. Mr. Field states, is a folly, and in a pamphlet recently published by the Rev. Mr. Davis, the Ordinary of Newgate, we read that a boy, the fourth child of an industrious widow, was committed to prison four times for stealing small sums of money from his mother and master, for the purpose of attending "penny gaffs;" he was whipped, and treated in the usual way, but on each occasion of conviction his offence was worse than the former—and while yet a child he was transported. Mr. Davis could teach this boy nothing in the short periods of confinement—he was becoming hardened in a gaol, when he should have been in training as a Reformatory School pupil.

This was a sad case, but here it may be objected, that the boy was vicious and could not be improved; we even for the moment admit the objection, but then no attempt was made fully and judiciously, to reform him, and that many of our young criminals are anxious for a refuge is proved by the fact, that notwithstanding the severity of the probation at the London Colonial Training Institution the number of applicants for admission averages **EIGHTY PER WEEK**. This is not all; we read in the London papers that, on the third day of April last, a boy named George Cooper, aged fourteen years, pleaded guilty, at the Middlesex Sessions, to having stolen a pocket handkerchief. The boy had, whilst in the House of Detention, committed an act of wilful damage, in the hope that his period of imprisonment would be prolonged, *that he might be taught to read and write*. He

was committed for two years, with hard labor; and a special recommendation was given that he would be sent to Red-Hill.

A clause in the Bill which we have placed before the reader, imposes a certain amount of responsibility on the parents of criminal and vagrant juveniles. It is a most necessary and important provision, and has been long demanded. As an instance of a class of cases continually brought before the Police Magistrates, we may refer to one which occurred in the Hammersmith Office, on Saturday, the 1st of April last. On that day Henry Collins, a little boy aged ten years, was charged with stealing a quartern loaf from the barrow of a baker. The boy's father had married a second time, and the prisoner was the child of the first wife. He had been often in prison, he and his brother being sent out to steal, and beaten if they returned without money or plunder. Mr. Beadon, the Magistrate, observed upon the necessity for an enactment, by which the parents of the prisoner could be punished, and compelled to pay for his support in Prison. The boy said he did not wish to steal, and was sent, crying, to gaol, with a recommendation that he should be committed to Red-Hill. These cases, from thousands of a like kind, prove the necessity for legislation on the subject, and prove, too, how truly the late Mr Justice Talfourd, a very few days before his death, spoke, when, addressing the Grand Jury of Berkshire, he said:—

“There are two general circumstances in the calendar to which I think I shall advert, not for the purpose of detaining you at this time with any remarks upon them, but for the purpose of noting facts, in order that they may make that impression which they are calculated to make upon the general mind. One is, that this calendar presents no exception from the general association of ignorance with crime, and further, that this calendar does most eloquently speak on behalf of those efforts which are now largely being made, to procure for the juvenile offenders that reformatory discipline which is essential, not only for their sakes, but that they should experience such reform for the benefit of the country. With respect to the first, I find on analyzing the calendar, that notwithstanding the activity which has been excited throughout the country in various departments for the purpose of extending education, there are no less a proportion in this calendar of 65 prisoners, than one-third who have not even experienced that first step from the most brutish state of ignorance which belongs to human information, namely, that of being able to read. I do not allude to this fact for the purpose of suggesting that they, without a higher, a nobler, and a better education, would be preserved from the commission of crime, but rather as an indication of the vast state of the dense ignorance which still remains unaffected

notwithstanding the philanthropic efforts which have been made throughout the country, and which call therefore for the most serious and earnest attention of those who desire not to be called upon to perform the painful, yet important duty, of punishing those whom they have taken no means to educate or instruct. Upon the other subject, namely that of the facts which this calendar discloses, tending to excite us all to the desire of providing reformatory discipline for juvenile offenders, there is this remarkable circumstance, that out of the number of prisoners who have been committed to Reading gaol for trial at these assizes, there are 15 who have been previously convicted; and out of this number, I am informed by the excellent chaplain of the gaol* (than whom there is no man living on earth who better understands the subject, or who more deeply feels, or who entertains a more anxious and earnest desire for their reform), that out of this number there are more than two-thirds who began their career of crime before they were 16 years of age, and several of them have been repeatedly convicted. Indeed one cannot help sometimes feeling, that when one is obliged to superadd punishment heavier than that which the mere facts of the case would call upon us to inflict, by reason of previous convictions, in reality the circumstance, instead of being an aggravation of the crime, is a claim on our Christian sympathy. For what is a poor lad to do, being turned out of prison having undergone punishment, with possibly the irritation of personal chastisement, and shame therefore brought upon him; what is he to do when he is let out, except to turn again, for the purpose of sustaining life, perhaps to some immediate course of crime, and perhaps of a much more heinous description than that which brought him to prison the first time. It becomes us therefore who desire to maintain and promote the advancement of the moral feeling of the people, to endeavour when the circumstance of their early guilt, which very often has arisen from some sudden temptation, and does not imply any greater depravity than that which the corruption of human nature spreads amongst all, that we should take an opportunity, not of yielding up the educational discipline of the law—that we should take care not merely to punish but to reform, and to seek to avail ourselves of that opportunity which that first offence has given, to bring within the pale of sympathy, and within the pale of religion, that unhappy person who has a soul immortal as our own, and has entered upon a life—a life as long in this world and that which is to come,—and to whom our warmest sympathy, rather than our indignation, ought to be addressed."

No man can doubt that these words are as true as they are wise. The judge was to try two boys—the one aged thirteen, the other eight—the former was acquitted, the latter convicted, the offence of each was arson—burning oats and hay—there was no connection between the prisoners. Few will dissent from the opinion offered by the judge, when he ex-

* Rev. John Field.

claimed—"A child of eight years of age charged with this fearful crime of arson. No doubt it is a case fit and proper to be committed, but it is one presenting great difficulties with respect to the mode of dealing with it. On the one hand it is a shocking thing to put a child eight years of age on his trial, so on the other it would be a very great evil indeed if it could be supposed that offences of this kind, which a child can commit, might be committed with impunity, merely because it is a child of tender age. You will have to inquire whether he was of sufficient capacity to rebut the presumption the law raises of his being incapable of crime. The law presumes—a conclusive presumption—that a child under seven years of age is incapable of crime, but beyond that age he is to be subject to criminal justice. It becomes a question of circumstance, the law presuming in raising a *prima facie* presumption of crime, and that presumption being very often rebutted by the circumstances of the case itself—and often rightly and wisely rebutted."

That the public mind is beginning to be awake to these things is, doubtless, a fact, but why is not the subject advanced by the Legislature? In all the force of plainest proof, from undoubted sources, Sir John Pakington has shown that these Reformatory Schools are the best, and safest, and surest protection against the spread of crime, and against the increase of taxation. The people are themselves anxious to see the Reformatory movement established. When the Ragged Schools of London were opened, in the year 1844, they numbered 20 schools, 200 voluntary teachers, and 2,000 scholars, aided by funds amounting to £61 : 9 : 6. In the year 1852 the schools were 116, the teachers 1,787, the scholars 11,733, and the funds had risen to £4,800 : 13 : 3.

So far for the London experiment, but, in Aberdeen, the poor came forward with their pence—and whilst in one year the rich contributed £150, the working men collected amongst their own class £250 ; and why ? because, as they told Mr. Thomson, "Before this school was opened we were afraid to trust our children a moment out of doors alone ; they were exposed to learn, and did learn, all manner of mischief ; but now this school has cleared the streets of the little vagabonds who corrupted them. We are not now afraid to let them out, and therefore we support this school."

And why should not the nation support these Schools? Is it

that religion, and how to teach heathen in rags theology, is a difficult problem to be solved? Irreligion and crime are springing up around us,—not a cheap book shop where the poorer classes deal but contains its pennyworth of impurity and atheism. Look to the *Census Report on Religious Worship in England and Wales*, count the phases of creed, and observe how, day by day, the Established Church is becoming weaker, whilst the conventicle is crowded, whilst the western Mahomedanism—Mormonism,—is gaining followers by thousands. Who that observes these changes, and marks the uneasy heaving of the black sea of ignorance and crime that hourly casts up its poor human weeds, affrighting the thoughtful by its presage, and saddening the good by the horrible neglect of every command of God, of which it proves this nation to have been guilty, that will not fear a problem is to be solved, which may solve itself, if speedy means are not adopted to save the country from increased adult crime, and from the spread of a juvenile sin, threatening a future when vice will become generally, as it is now frequently—HEREDITARY? “Whilst,” writes the Bishop of Winchester, in his Charge delivered in August, 1850, “the clergy are wrangling on points of doctrine, Infidelity is advancing nearer and nearer, its strongholds are taking possession of the mind of the people. The state of the population is not such as to warrant them in wasting their energies on subjects that are left undecided, instead of applying themselves to their proper work;” these words are true, true in every part, and yet they were addressed to men who believe in the inspiration of that Book which tells us—IN AS MUCH AS YE DID IT NOT UNTO ONE OF THE LEAST OF THESE MY BRETHREN, YE DID IT NOT TO ME.*

But, it will be objected, these Schools are very expensive. This is a common error, and can only arise from ignorance. In a former paper we entered at length into the cost of Schools and Gaols,* and proved the vast saving to be derived by society, and by the ratepayers in all points, from the adoption of Schools for destitute or criminal juveniles. We now state, from the best authority, the cost of gaols and schools as follows:—

* For some information on the spread of infidelity and ignorance of religion, see IRISH QUARTERLY REVIEW, Vol. IV., No. 13, p. 25. See also a very excellent paper on “Popular Infidelity,” in “The News of the Churches,” No. 2, p. 40.

† See IRISH QUARTERLY REVIEW, Vol. IV., No. 13, p. 53.

Cost of Juvenile in Gaol ...	...	£63	10	0
„ At Parkhurst ..	..	43	10	5½
„ At Mettrai ...	...	42	0	0
„ At Stretton-on-Dunsmore		31	0	0
„ At Aberdeen ...	...	18	0	0*

These figures are indisputable, and begging the reader to bear them in mind, and to recollect that great truth recorded by the Newcastle and Gateshead Committee on Juvenile crime—"THAT A CHILD, EVEN WHEN CRIMINAL, SHOULD BE TREATED AS A CHILD, AND SENT TO A REFORMATORY SCHOOL, AND NOT TO A PRISON"—we place before him the plan upon which Mr. Thomson, and upon which we, would wish to see these Schools founded, and aided by legislative authority. We quote from Mr. Thomson's letter, addressed last December to Mr. Hill, the excellent Recorder of Birmingham :—

"It is very desirable, in any Act of Parliament to be obtained, to give the Schools the full title of 'INDUSTRIAL FEEDING SCHOOLS'—thus giving the sanction of the Legislature to the two *leading principles* on which they proceed, viz., *industrial training* and *feeding*; and to designate the class for whom they are intended, the words Juvenile and Ragged should not be omitted—thus, the full title ought to be

JUVENILE RAGGED INDUSTRIAL FEEDING SCHOOLS.

This title might save many future disputes as to whether the Schools were interfering with ordinary Pauper Schools on the one hand, or with Prisons on the other.

Three classes of Schools ought to be sanctioned by Parliament :—

1. REFORMATORY SCHOOLS, for Convicted Youths.
2. AGRICULTURAL SCHOOLS, for training up for Emigration, or for home Labour, as may be found expedient.
3. JUVENILE RAGGED INDUSTRIAL FEEDING SCHOOLS.

Reformatory Schools. To them I would send all persons convicted above 14 years of age, and keep them there until 18 or 20, or until they have been at least two or three years under training.

My object in specifying *above 14*, is, that a boy or girl who has led a thoroughly vicious life for several years becomes a very dangerous inmate of a younger School; and as it is in the younger Schools that I look for the greater part of the good to be accomplished, I am desirous that they should set out with as few drawbacks as possible; at the same time many whose judgment deserves

* For particulars as to cost of Schools, see "Two Prize Essays on Juvenile Delinquency," Chapter V.

the highest consideration are inclined to make the age 16. There seems no reason to restrict very much the age up to which convicts may be sent to the Reformatory School. A young man of 20, or even 25, may often be a most suitable subject for it—and this may well be left to the discretion of the sentencing judges especially as such cases will, in general, be tried by professional men.

These Schools must be considered as Prisons without the strict confinement of walls and bars, and require a mode of treatment something betwixt a Prison and a School, and they may be placed in any locality, and made of any extent which circumstances require. But, provision must be made for doing away, both in Scotland and England, with the present local distinctions and local funds, so that it be not necessary to have one in each county and burgh. No great number ought to be required—and the Colonial Training School in Westminster may be regarded as the normal type of such establishments. The principle to be mainly kept in view in them, is, to place clearly before each inmate, the hardship and misery of a life of crime—the comparative comfort and happiness of a life of honest industry—basing the whole argument on the Word of God, and then applying the test of a modified and gradually increasing personal liberty. No one ought to leave the 'Reformatory' until he has learned by experience, that *he is trusted*—and that he deserves to be so; and, unless he have this confidence—this amount of self-reliance,—he is not likely to do well.

The *Reformatory School* must be open to all voluntary applicants—otherwise, it will only do half its work. Let them be severely tested, as at the Colonial Training School—but do not require the repentant criminal to add *another* to his long list of crimes, before he is permitted to begin a career of reformation.

Agricultural Schools.—The only very complete experiment of this sort, which I have seen, is the admirable establishment at Redhill—and the results hitherto derived from it, are such as may well make it the model of others. The experience acquired at *Quatt*, *Bridgenorth*, and *Stretton on Dunsmore*, and also from the French, Belgian, and German establishments, all go to prove the value and the practicability of such Schools. Parkhurst, however good in its way, is much more of a prison than Redhill. The number required of them, would never be great—provided they be made available without local restrictions as to Counties, as already suggested in regard to the Reformatories.

Juvenile Ragged Industrial Feeding Schools. However admirable the reformatory and agricultural Schools may be, still, the great basis of the new system of dealing with our youthful criminals, must be found in the Juvenile Ragged Industrial Feeding Schools; and, it is to them principally we must look for the improvement of our hitherto neglected Juveniles.

These unfortunate children need food, instruction in religion, and the ordinary branches of human knowledge, training in habits of industry—and, partially at least, they need clothing.

To be effective, the Schools must supply all these, and such has been the invariable practice of the Aberdeen, and of many other Schools.

The food is an *essential* part of the system—and it is neither so expensive nor so troublesome to supply it, as is supposed by those who have not tried the plan.

It ensures regular attendance, without any trouble—it enables the pupils to profit by their lessons—and to apply to them with vigour—which no child suffering under the pangs of hunger can possibly do, and it is felt by the children to be real substantial kindness, and even by their parents—to whom it indirectly affords relief, and that in a form which they cannot mis-apply.

The necessity of instruction in reading, writing, arithmetic, and other ordinary school branches, and of Industrial Training, are too obvious to require to be enforced by argument.

The ground-work of the whole system of teaching and of training, must be the *Bible*—the revealed Word of God, by which alone, either rich or poor can be made truly wise, either for Time or for Eternity—and it would be well, that this were distinctly recognised in the Act of Parliament to be obtained—both, as a due acknowledgment on the part of a professedly Christian nation, and for the practical purpose of preventing any public money being worse than wasted in aiding Schools, if the zeal of the Infidel party should ever lead them to attempt to train up neglected Juveniles in the way in which they *ought not to go*. Let it be at once enacted, that no public aid shall be given to any of these Schools from which the Word of God is excluded.

Some of our zealous friends and supporters, who hold voluntary principles, object conscientiously to the children being brought up as members of this or of that particular Church. But, it ought to be remembered, that up to the age at which the children commonly leave such Schools, the very ideas of the differences betwixt one Christian Church and another have not begun to enter into their minds. The sole object of the religious training ought to be to make them Christian Children—and, at a later period of life, they will decide for themselves to what denomination they are to belong. Every right-hearted Christian must rejoice in seeing neglected Juveniles brought to the knowledge of their duties to God, their neighbour, and themselves, and he must deem it a very subordinate matter to which subdivision of the Church they may ultimately attach themselves—and the teacher of a Juvenile Ragged School must be singularly unqualified for his office, and must make strange waste of his own and his pupils' time, if he devotes himself to making them all conform to his own peculiar ideas, whether he be Episcopalian, or Methodist, Presbyterian, or Independent—all such sectarian proselytism ought to be steadfastly discouraged, and every energy directed to the only worthy object—*Christianizing*.

In this matter, however, there is more real difficulty, when the question comes to be, not betwixt one body of Protestants and another, but betwixt Protestants and Roman Catholics.

The conscientious scruples of a Roman Catholic parent are entitled to respect, when they really exist. The experience of Scotland, however, all goes to show that they very rarely, if ever, object to their children being taught along with Protestant children,

and from the same Bible, unless, indeed, the idea be put into their heads, and hard pressed upon them by other people. Cases have occurred in which they have thus been induced—perhaps *forced*—to object to the Bible teaching of their children.

Consider how such neglected Juveniles are circumstanced. If their Roman Catholic parents were educating them in the principles of their own religion, no man has any right to interfere with them; but they are neglecting them—they are not educating them to become self-supporting members of society, but leaving them to be trained up by their older vicious comrades in every sort of iniquity. Were it not so, they would never become the objects of the care of Juvenile Ragged Schools. A Protestant State, such as Great Britain, is well entitled to say to such parents, if you neglect to educate your children, we cannot, either for their sakes or our own, suffer this to be;—they must be educated, and if you can not, or will not, we *must*; and at the same time, as a Protestant people, we dare not educate them by any other means but the use of the Word of God. There is neither cruelty nor injustice in so doing, and, practically, it will be found that the parents of the neglected outcasts are very rarely members of any Christian Church, or care about religion in any way. Were it otherwise, they would not neglect their offspring; and their parents may, in general, be correctly designated home-heathens. The sanctions and influences of religion are, it may almost be said, more needful for the education of the lowest classes than for others; and, therefore, let no system be adopted by the Legislature in which the use of the Bible is not distinctly recognised.

What is equally important, no master or mistress can, by possibility, train a large number of outcast children. The work must be done by the immediate acting of the teacher's mind upon the pupil's mind; and, therefore, large numbers are inadmissible. It is not merely reading, writing, and cyphering, which are to be taught, but the whole moral nature is to be impressed and moulded; and from 70 to 100 ought to be the utmost number admitted to one School. When the pupils become more numerous, build another school, and get another teacher.

The responsibility of parents for the maintenance and education of their children ought to be effectually maintained, as proposed in No. 13 of the Committee's Resolutions. It is high time to put an end to the fearful wickedness, of parents, for their own profit, training up their children to a professional life of crime; and no check would be more efficient, than obliging the parent to pay for the support of his neglected child, whether in prison or at a Reformatory School.

It must be distinctly acknowledged that no stain of criminality attaches to a child on account of having been educated at a Juvenile Ragged School, and every exertion must be used to obtain the cordial acquiescence of the public mind in this feeling; the children will otherwise, have almost insuperable obstacles to contend with in after-life.

The children sent to these Schools, after petty offences, must be

regarded as *not guilty*, on the score of their want of discernment, to use the French technical expression; and those who are sent to them for no offence, but simply because they are neglected, must not be accounted as having thereby acquired any taint whatsoever—both must have a clear open course before them for the rest of their lives.

It is not desirable that expensive buildings ever should be erected, and nothing approaching to luxury ought to be introduced. The children have an arduous struggle before them, and it is needful that they be trained to it from the first; but this is perfectly consistent with the greatest cleanliness and good order. It ought to be kept in view, that if these Schools effectually do their work, many of them, in the course of twenty or thirty years, will become unnecessary, and their place be supplied by Day and Infant Schools, where the parents pay the ordinary fees.

The question of *lodging* the children ought not to be determined by law, but left free for the managers of each School to decide as circumstances may require. The experience of Aberdeen is most clearly in favor of their returning nightly to their homes, although exceptional cases do occur. They often convey much good directly to their parents, and still more is accomplished by the visits of those who, taking an interest in the children, are thereby induced to extend their care to their relatives, and pay them kindly visits at their own houses. The Juvenile Industrial School ought ever to be widely different from the Endowed Hospital, or the Poor House.

It is needless now to discuss the abstract question of how far Society has the right to punish, as criminals, children whom Society has never taught to know right from wrong. All must admit that it is not kind—that it is not expedient. We speak of the uneducated classes, but it is a great mistake;—no child can grow up *uneducated* in the true meaning of the word, and the two classes of which all Society consists, are not the *educated* and the *uneducated*, but those who have been educated in sin and to sin, and those who have been educated in wisdom and to wisdom—of those who have been trained up neither to fear God nor regard man, and those who have been taught from their infancy to fear God and love their neighbour. On these broad and plain principles the New Schools ought to be established and conducted."

We have dwelt at great length upon this question, and did space permit intended to have written upon the subject of Prison Discipline, and the Separate, and Ticket-of-Leave Systems—these two most important topics we must postpone until our September number. Indeed we do not know how our present paper could, in justice to its subject, be curtailed. We wished to show that the law must be suited to the time, and that if our system of punishment of juvenile offenders be not changed, our criminal code will become a disgrace to civilization, and a source of

ruin to the country. All the efforts towards amelioration in these Kingdoms are, as we have already observed, of steady growth and of slow movement; but once convince the Nation that a change is required, and the end is secured. We believe with Mr. Thomson, he freely confesses the fact, that Reformatory Schools can only be rendered successful by a measure "which is altogether a new kind of Legislation, and breaks down the barriers of the old Criminal System, as far as juveniles are concerned." But the Legislation is necessary, if the country is to be protected from an inundation of crime. When the Barons of England declared—"Et omnes comites et barones una voce responderunt quod nolunt leges Angliæ mutare, quæ hucusque usitatæ sunt et approbatæ"—they but declared a great, national, and wise principle, and yet since that period laws have been changed with the change of time, and the stability of the constitution has been proved by the increased strength which the grand edifice has received from the wise and watchful care of those who have tended its security, strengthening its foundations whilst adapting its old structure to bear the pressure of an element, more trying than material building ever bore, the public need—the national necessity. This change of law which we demand will come with the consent of the Legislature or—without it. True, the Legislature would end with a violent change, and that change would come from those whose cause we now advocate.

But what will those child criminals be if we suffer them to grow up as their fathers grew? Shall the criminal code of the country be the only system unimproved with the age? We may unfold every secret of the stars; we may send the railway engine flying through the balmy fields of our Indian empire; we may cast forth upon the flashing of the electric wire, the words which are understood in other lands as soon as given at home; we may be the proudest, and the richest, and the grandest people of the earth, with power in all spheres, with influence in the national councils of every country of the earth, and yet, if we permit the growth of a population of "Home Heathens," we cannot escape that destruction which a thoughtful man sorrowfully indicated, when he wrote that "If the monarchy and the representative system of Great Britain are to perish, it will not be from any conspiracy of the nobles. Magna Charta and the Revolution settlement secured and limited their influence in the Constitution. Nor will it arise from

the rebellion of the middle classes, who acquired their due share of political power by the Reform Bill. But the dominion of an ignorant and demoralized democracy is scarcely more fatal than the growth of popular discontent." These words were written last year by Sir James Kay Shuttleworth, in demanding extended and improved literary and religious training for the people at large.* We apply them now to the class of criminal and destitute juveniles to whose condition and amelioration we have devoted this paper. We claim the proposed change for these children as their right—we claim it that the law of God and the law of humanity may interpose between them and the future ruin of the Kingdom at their hands. The remedy we have suggested may be unusual, and untried, save in particular localities, but where proved it has been successful; and if, as has been truly stated, gaols should be "Moral Hospitals," we contend that Industrial Feeding Schools and Reformatory Institutions should be Moral Dispensaries. The old system of cure has been nothing more than quackery; juvenile crime has become a foul and virulent ulcer, eating into the very heart of the body politic, and becoming, day by day, more unmanageable, and he who would restore the social health of the commonwealth, must be prepared to act, if necessary, upon the old maxim of Hippocrates—"Ad extremos morbos extrema remedia." The disease is, indeed, extreme, the remedy though new, is neither violent nor uncertain.

Few cities need these schools more than our own, as the following figures, taken specially for this paper, from the *Statistical Tables of the Dublin Metropolitan Police, for the Year 1853* prove. To these authentic facts we beg the most earnest attention, first, of every christian man—secondly, of every tax payer in Dublin.

These figures show, in the plainest and clearest manner, that every argument in support of the demand for Reformatory Schools is strengthened by the evidence of our Police Returns.—

* See "Public Education as Affected by the Minutes of the Committee of Privy Council from 1846 to 1852; With Suggestions as to Future Policy." By Sir James Kay Shuttleworth, Bart. London: Longman and Co. 1853.

Table showing the Age and Sex of persons, under 20 years of age, Summarily Convicted during the year 1853.

Offences.		Under 10 years of age.		10 years of age and under 15.		15 years of age and under 20.	
		M.	F.	M.	F.	M.	F.
First Class.	Assaults and Common Assaults	0	0	17	1	180	27
	Obstructing Police, Rescue, &c.	0	0	7	2	93	16
	TOTAL,.....	0	0	24	3	223	43
Third Class.	Dog Stealing	0	0	0	0	1	0
	Embezzlement	0	0	1	0	1	0
	Frauds, &c.	0	0	8	0	9	1
	Attempts to commit Larceny	2	0	61	9	88	7
	Pawning Illegally	0	0	5	1	4	8
	Receiving Soldiers' necessaries	0	0	0	0	1	1
	Unlawful possession of goods	16	3	417	55	429	131
	TOTAL,.....	18	3	493	65	528	148
Fourth Class.	Wilful damage, TOTAL of this Class	0	0	40	4	42	20
Sixth Class, comprising other offences.	Runaway Apprentices	0	0	6	0	20	0
	Cruelty to Animals	0	0	1	0	8	0
	Deserters	0	0	0	0	11	0
	Disorderly Characters	0	0	276	9	673	90
	Prostitutes	0	0	0	7	472	253
	Drunkenness	0	0	12	2	0	200
	Exposing the person indecently	0	0	0	0	6	6
	Furious driving	0	0	0	0	10	0
	Driving with injury to the person	0	0	0	0	4	0
	Gambling	0	0	0	0	3	0
	Nuisances	0	0	66	8	88	15
	Non-payment of Fines	0	0	0	0	4	0
	Smuggling	0	0	0	0	1	0
	Suicide	0	0	0	0	0	2
	Tippling in unlicensed houses	0	0	3	0	27	10
	Suspicious Characters, Vagrants	461	463	943	648	985	1165
	Breaches of Dublin Carriage Regulations	0	0	2	0	3	0
	TOTAL,.....	461	463	1308	674	2315	1744
	GRAND TOTAL,.....	479	466	1865	748	3108	1955

The above table gives a Total of 8619 offences indicated, committed by persons under 20 years of age, adjudicated summarily by the magistrates.

Table showing the Age and Sex of persons, under 20 years of age, Committed by the Magistrates during the year 1853.

Offences.		Under 10 years of age.		10 years of age and under 15.		15 years of age and under 20.	
		M.	F.	M.	F.	M.	F.
First Class.	Assaults, and Common Assaults	0	0	3	1	6	0
	Stealing	0	0	0	0	0	1
	Manslaughter	0	0	0	0	2	0
	Indecent offences and Assault	0	0	0	0	2	0
	TOTAL,.....	0	0	3	1	10	1
Second Class.	Burglary	0	0	3	0	17	1
	Breaking or attempting to break into a dwelling house by day	0	0	2	0	2	1
	— Outhouse by night or day	0	0	0	0	1	0
	TOTAL,.....	0	0	5	0	20	2
Third Class.	Cattle, horse, and sheep stealing	0	0	1	0	0	0
	Embezzlement	0	0	3	0	8	1
	Frauds, &c.	0	0	3	0	7	1
	Larceny in dwellings by servants	0	0	0	0	5	11
	— Other persons.	1	1	6	4	49	17
	From person by prostitutes	0	0	0	0	0	7
	— Other persons	0	0	9	1	49	17
	Simple Larceny	1	0	6	3	31	8
	Larceny from Sheps	0	0	8	2	37	10
	Attempts to commit Larceny	0	0	10	6	42	7
	Receiving stolen goods	0	0	0	0	2	1
	TOTAL,.....	2	1	46	16	230	80
Fourth Class.	Wilful damage, TOTAL of this Class	0	0	0	0	1	0
	Coining and uttering, TOTAL of this Class	0	1	2	1	3	2
Fifth Class.	Attempting to burn	0	0	0	0	0	1
	Escaping from custody	0	0	0	0	1	0
	Exposing the person to insult	0	0	0	0	1	0
	Perjury	0	0	0	0	0	1
	TOTAL,.....	0	0	0	0	2	2
GRAND TOTAL,.....		2	2	56	18	266	87

This Table gives a Total of 531 offenders under 20 years of age, committed during the year for trial.

Table showing the Age and Sex of persons, under 20 years of age, Committed for Trial, and who were Convicted during the year 1853.

Offences.		Under 10 years of age.		10 years of age and under 15.		15 years of age and under 20	
		M.	F.	M.	F.	M.	M.
First Class.	Assaults, Common . . .	0	0	1	1	3	0
	Stealing . . .	0	0	0	0	0	1
	Indecent offences . . .	0	0	0	0	1	0
	TOTAL,	0	0	1	1	4	1
Second Class.	Burglary . . .	0	0	1	0	11	0
	Breaking into or attempting to break into dwelling-house in daytime . . .	0	0	1	0	1	1
	TOTAL,	0	0	2	0	12	1
Third Class.	Cattle, horse, and sheep stealing . . .	0	0	1	0	0	0
	Embezzlement . . .	0	0	0	0	5	0
	Frauds, &c. . .	0	0	2	0	5	1
	Larceny in dwelling-houses by servants . . .	0	0	0	0	3	10
	— Other persons . . .	0	0	3	2	34	7
	From the person by prostitutes . . .	0	0	0	0	0	2
	— Other persons . . .	0	0	7	1	31	10
	Simple Larceny . . .	0	0	4	0	21	7
	Larceny from shops . . .	0	0	8	2	33	7
	Attempts to commit Larceny . . .	0	0	10	5	28	5
	TOTAL,	0	0	35	10	160	50
Fourth Class.	Coining and uttering, TOTAL of this Class . . .	0	0	0	0	1	1
Sixth Class.	Attempting to burn, other of. . .	0		0	0	0	1
GRAND TOTAL,		0	0	38	11	177	54

This Table gives a Total of 280 Convictions of offenders under 20 years of age, tried during they earl853; and the Grand Total of persons under 20 years of age, summarily convicted or committed for trial, amounted to 8619.

The total number of persons under the above age who were taken into custody during the year is as follows:—under ten years of age, 584 males, 535 females; ten years of age and under 15, 2567 males, 948 females; 15 years of age and under 20, 4746 males, 2689 females. We may here observe, that of 48,656 persons of all ages and sexes taken into custody during the year, 27,350 could neither read nor write.

Let it be ever borne in mind that not one of these culprits was over twenty years of age. Let it be remembered too, that 472

persons, between the ages of ten and fifteen years, were summarily convicted of the unlawful possession of goods ; and that of the 4,665 suspicious characters and vagrants summarily convicted, 924 were under ten years of age, 1,501 between ten and fifteen, 2,150 between fifteen and twenty. If these were Scottish culprits we should be able to state their ages, and the number, if any, of former committals, but unfortunately no such statistical information, with reference to these young criminals, can be obtained from the *Tables*, elaborate and excellent in other points, now before us. However, we may be satisfied that many of these prisoners were being, or had been, reared to crime ; and assuming that pauperism and vice are as rife in Ireland as in Scotland, we would assert that the majority of these children had both father and mother living.

What the condition of the juvenile criminals in Scotland is, may be learned from the *Report* of the Rev. William Brown, Chaplain of the General Prison at Perth—No. IX, in the *Appendix to the Fifteenth Report of the Board of Directors of Prisons in Scotland, for the Year, 1853* : it appears that of the 85 juvenile prisoners committed to Perth Gaol in the above year,

26	HAD FATHER AND MOTHER LIVING.
9	Father only.
6	Father and Stepmother.
24	Mother only.
7	Mother and Stepfather.
13	Were Orphans.

Who that reads these facts, and considers the grave import of these figures, and they are of a like appalling nature all through the Kingdom will not demand the Reformatory and Ragged School for the child criminal or neglected child ? Who will not hold with John Foster, “ that any man who looks, in the right state of his senses, at the manner in which the children are still brought up in many parts of the land, will hear, with contempt, any hypocritical protest against so much interference with the discretion, the liberty of parents, the discretion, the liberty, forsooth, of bringing up these children a nuisance on the face of the earth.”

To all who believe the truth of these wise words we have appealed in the course of this paper. If other advocacy, than that furnished by the facts and figures we have collected, be

desired, it can be found, in melancholy force, amid the sad Reports of the Gaol Chaplains, and amongst the records of our Criminal Courts.*

If our readers should be desirous of knowing how the interests of the destitute or criminal juveniles may be advanced, we state that, in our minds, nothing more effective, and likely to conduce to a satisfactory result, can be now attempted than by obtaining signatures for a memorial such as the following, (which we have received through the attention of Mr. Thomson) and by procuring its presentation to the Privy Council, or to Parliament :—

“ COPY of a PROPOSED MEMORIAL sent by the PREVENTIVE and REFORMATORY SCHOOL COMMITTEE to the COMMITTEE of the RAGGED SCHOOL UNION, for their consideration before being presented to the LORDS of the PRIVY COUNCIL.

To the Committee of Privy Council on Education in behalf of Ragged Schools, or Free Day Schools for the Destitute.

Your Lordships' Memorialists respectfully beg to represent : That an increasing large class of Schools, called the Ragged Schools, or Free Day Schools for the Destitute, intended for those children who, by reason of the vice, neglect, or extreme poverty of their parents, are inadmissible to the existing School Establishments recognized by your Lordships, do not, and cannot, receive any fair proportion of the Parliamentary Grant for Public Education under the existing Regulations, yet that for their maintenance in an effective condition, they require it in a far higher degree. They cannot at present receive such aid for the following reasons :

- 1st. The neglected condition of the children requires very peculiar qualifications in the Master, and not only would it be impossible for many an excellent Ragged School Master to go through the Examination required by your Lordships for certified Teachers in ordinary Schools, but were he able to do so, such capabilities would by no means test the fitness for his peculiar duties, while other qualifications of a very different kind are indispensable. The Masters, therefore, are not aided.
- 2nd. The arrangements respecting Pupil Teachers and Stipendiary Monitors are inapplicable in Ragged Schools. Such arrange-

* See also “ A Sermon preached in the Church of St. Mary the Virgin, Oxford, at the Lent Assizes, 1853,” in “ University and Other Sermons.” By John Field. M.A., of Magdalene Hall, Oxen, Chaplain of the Berkshire Gaol, Reading. London : Longman and Co. 1853. It is sufficient to add, that the sermon is quite worthy the author of the valuable work “ Prison Discipline,” to which we have in this and former papers been so much indebted.

ments are devised for the purpose of training Teachers. It cannot be your Lordships' desire to train Teachers for the next generation from the most degraded children of this; and even were it desired to form Teachers from this class of Society, the want of early training, no less than the character of the instruction given in Ragged Schools, would render the children trained in them unable to pass the examination which is required.

- 3rd. That Industrial Training given in Ragged Schools, which is a most important part of their system, tends to form habits of Industry rather than to teach a Trade, and though its results have been found to be very beneficial, yet the fluctuating nature of such Schools prevents that progress which your Lordships' regulations require in the case of ordinary Schools.
- 4th. The Buildings for such Schools are necessarily in poor parts of towns, and however well adapted they may be for the purpose, they will seldom be such as would receive a Grant from the Committee of Council under existing regulations.
- 5th. The Schools themselves must necessarily be in such an Educational Condition that they would hardly be considered entitled to receive Grants of Books and Apparatus under your Lordships' present regulations.

Ragged Schools, or Free Day Schools for the Destitute, are therefore at present virtually excluded from aid. They perform, however, a very important work by acting on a class as yet uninfluenced by religion or general education. But such Schools to be of use must be efficiently conducted. To be so, a much larger amount of support is required than suffices for the maintenance of ordinary Schools, inasmuch as no pence are paid by the children, and a larger staff of Teachers, many of them Industrial, is required.

The most strenuous efforts on the part of benevolent persons have hitherto failed to raise an adequate income for such Schools, or to carry them on as they would desire.

Your Memorialists would therefore respectfully, but earnestly pray—

- 1st. That Masters who give satisfactory proof that they are fitted to carry out the objects of Ragged Schools be aided by a Grant from your Lordships.
- 2nd. That Monitors articled for two or three years, and undergoing an examination calculated to test their fitness for assisting in these Schools, should receive as in ordinary Schools, a reasonable payment for their services, and that a greater number of them should be allowed.
- 3rd. That your Lordships' Conditions in respect of Buildings, Industrial Training, and Apparatus, should be so modified as to meet the circumstances of such Schools."

If further proof of the necessity and utility of a legislative enactment, such as that in the foregoing memorial prayed, be

required, it is afforded by the following excellent *Report*, of Mr. Edward M'Gauran, the Master of the Roman Catholic Ragged School, of the Roman Catholic Parish of St. Andrew's, and for which we are indebted to the Rev. J. P. Farrell, the Manager and Superintendent of the Institution.

It is a boys' School, and we are pleased to find that it is not alone a Ragged School, but is, in addition a Sunday School, and we hope most earnestly that it will soon become, like the Broomer School and Dormitory in Strand Street, an Industrial Training School. Of all the Ragged Schools in these Kingdoms this is, we believe, the only one to which the Board of Education has given assistance, and yet it must be admitted from our facts and proofs already quoted, and long since before the Council of Education, that no Educational Institutions are more worthy Government aid than the Ragged Schools, be they Educational only, or Industrial, and in addition, Feeding Schools. The *Report* from the St. Andrew's School is as follows :—

“ To Rev. J. P. Farrell, Manager and Superintendent of the Andrean Free National School, Cumberland-street, South.

Andrean Free National School,

February, 1854.

Sir—In compliance with your request, I beg to lay before you the following particulars of the working of this school since its opening on the 23rd of May, 1853, for the education of pupils unable to pay the usual weekly fee of a penny each.

Description of the School.—The school is entered by two doors on the north side. Opposite the doors are two fire places in which fires are kept during five months of the year. On each of the other sides are three windows which open above and below, thus securing the advantage of sufficient ventilation. The room measures 73 feet in length, 36 in breadth, and 16 in height. There are 12 writing desks, each 21 feet long—in point of quality, there is no difference between them and those in the Model Schools, Marlborough-street. Each desk accommodates 14 boys writing, and therefore nearly 170 children can write together. The circles in which the children stand, when in classes, are marked at convenient distances by brass nails in the floor.

Description of the Children.—A considerable number of the children are orphans ; the parents of the remainder, male and female, are in the majority of cases drunkards. Notwithstanding the vigilance of the police, and the certain penalty of 14 days' imprisonment, in case of detection, the orphans almost universally, and in some instances even those who have both parents living, subsist by begging in the public streets. Frequently on making enquiry into the cause of a boy's absence from school I have received the answer, “ he got 14 days, sir.” No person seeing those children immediately upon admission,

with their hair growing wild, their whole bodies covered with dirt, and their filthy tattered garments, could avoid coming to the conclusion that they had been very sadly neglected. Their morality was in perfect keeping with their appearance. Nothing that I had before conceived of precocious depravity enabled me to form the faintest idea of that which came under my observation during the first two months of my experience in this school. Feeling confident that this monstrous evil, unless destroyed at the outset, would in time acquire a strength not to be resisted, I determined to meet it at once, and to spare no labour, however painful, in the endeavour to crush it effectually. I accordingly applied with all the energy I could command, setting apart an hour every day for the investigation of complaints; but I found all my pupils such inveterate liars that it was with the greatest difficulty I could elicit a confession even of faults to which I had been myself an eye witness. This state of things placed me in a rather difficult position. The vice of lying was first to be subdued before I could even attack the grosser immorality which it sheltered. I had a very large attendance and no assistant—there was no time to be lost—some effective plan must be adopted forthwith. I made up my mind that no matter how numerous the cases requiring investigation, I would be satisfied should I succeed in detecting even a single liar a day. As the children perceived that I pardoned those who told the truth, and that I was determined to hunt down the liar, who had no chance of escape (for I took in hands those only whom I knew I was competent to manage) the difficulty of reform became gradually less. It was no longer holding out to the last. At the daily investigations each began to show an eagerness for his own case to come on that he might be relieved from suspense by simply telling the truth. These investigations lasted for nearly two months, and I am happy to say have well repaid me for my trouble, as except against a few new boys I have not since heard any complaint of a serious nature.

Discipline.—No boy is allowed to speak unless on business, and then he holds out his hand as a sign that he wishes permission. Orders, general and particular, are not only obeyed promptly, but without the least sign of reluctance. In passing to and from, and also in moving through the School, the children march in a single file, keeping the step and with their hands behind. The great rule for order and regularity, "a time and a place for every thing, and every thing in its proper time and place," is constantly inculcated and rigidly adhered to. In fact, every thing is ready five minutes before the period specified in the "Table," in order that there should not be a moment lost when the proper time has arrived for commencing the next subject. By having the necessary arrangements completed before the time, all confusion is avoided; the children have their books or writing materials at their hands, classes are supplied with instructors, and the whole machinery moves, as it were, of itself—no noise—no bustle—no disorder of any kind.

Attendance.—In a large School like this, where the children are taught in classes, regularity of attendance is of the greatest importance. As the teacher proceeds gradually, making the class under-

stand each lesson before he commences the next, and so continues till he finishes his instructions on a given subject, it is evident that a child absent even for a few days, finds it extremely difficult, if not impossible, to overtake his class fellows. In this School, for some time subsequent to its opening, there was hardly a pupil who did not absent himself two or three days in each week. To make my teaching effective I was therefore under the necessity of devoting two or three days to lessons on a division of a subject which would otherwise require only one day. This was a really serious loss of time and labor, as in such a state of things it would require, *ceteris paribus*, two or three teachers to effect as much in a given time, as one teacher in a school regularly attended. Knowing that irregularity of attendance is owing to a want of interest in the school on the part of both parents and children, and that to excite such interest by literary improvement alone must be a work of time, I resolved to have recourse to means calculated to effect my object more speedily. These were simple enough. I suggested the propriety of distributing strong linen bibs from time to time to those who should appear cleanest and be most regular in attendance. This suggestion having been acted upon, I lost no time in informing the parents or guardians of those who were absent, that a large quantity of linen had been purchased to make bibs for the boys, and that no child, no matter how ragged, should get one unless he attended school regularly, had his hair cut short, and his face washed every morning. A complete change has taken place since the first distribution of bibs. The long matted hair has been cut off, coal dust and soot have disappeared from the face, hands and feet, the crowd of children "late" is no longer to be seen round the door after 10 o'clock; and, an increase in the daily attendance of nearly 20 per cent. of the number on roll, with an actual increase of 117 has been the result.

Table Showing the Number Admitted, Discharged, and Removed, in each of the Classes, from the Opening till 13th Feb. 1854.

Classes.	Admitted.	Discharged*	Removed.	Remaining.
First Class	580	351	58	171
Second „	163	111	24	86
Third „	43	34	2	31
Fourth „	3	3	0	2
Total ...	789	597	84	290

* Some boys who were discharged for irregularity of attendance, (see Rule 6) have been re-admitted, and are included in the number admitted.

Organization.—The working power consists of two Trained Teachers, three paid Monitors, and twelve special class, or unpaid, Monitors. The paid Monitors have been selected from amongst the smartest and most intelligent boys in both schools. One is paid sixpence, and each of the others, one shilling weekly; these payments to be increased in proportion to their improvement, both as regards their literary acquirements and their efficiency as Monitors. They teach two hours daily, call the Rolls, distribute requisites, and each has his share of the school accounts to keep. The unpaid Monitors are selected from those of the higher class of pupils who are most willing to teach, and who can attend the morning lesson at 9 o'clock. As these boys receive no payment for their services, it is evident that they would soon get tired of teaching if not encouraged in some other way. They are instructed specially by one of the Teachers every morning, in those subjects which their duties as Monitors prevent them from attending to during the hours of general instruction, and they are allowed an extra quantity of bread. Once a week they receive a lesson on the manner in which they should conduct their classes, as to order and method of teaching. Every Monitor has his own particular class, and as the number removed to a higher class depends upon his efficiency, an account is kept by the Teacher of the number which he removes in each class, and at the end of the week the Monitor, from whose class the greatest number has been removed, is presented with a small premium. It takes very little time to keep these accounts. Besides the emulation they create amongst the Monitors, they are a check on the boys themselves; for, before this plan was adopted, they were found strolling about from class to class in the same division. The improvement of the Monitors, paid and unpaid, is by no means neglected; on the contrary, it is the anxious desire of the Teachers to have them well grounded, at least in the subjects which they have to teach. Candidates for the office of paid Monitor constitute a special class. When a vacancy for a Monitor occurs an examination is held, and the boy in the class who answers best is promoted. The name of any member of the special class who absents himself from the morning lesson without permission, whose attendance is irregular, or who has not given satisfaction in the conducting of his class, is struck off the Monitors' Roll. The Teacher examines the classes receiving monitorial instruction in regular succession, to ascertain the amount and quality of the instruction imparted, and to remove those whom he finds qualified. After examining a class he teaches it for some time, to afford the Monitor a practical lesson in teaching. He takes advantage of this opportunity to direct the Monitor's attention to the common practice of bestowing all care on one boy, and leaving the others to wait for their turn; telling him that, with this way of doing business, supposing there are ten boys in the class, each boy, instead of being occupied the whole time, is working only the one-tenth of it; and that, therefore, one Monitor who keeps alive the attention of his entire class, is doing as much, without working harder, as ten Monitors who teach individually.

I have carefully prepared the following Table :—

<i>Ages of the Children.</i>			<i>Per centage of the number in Attendance.</i>	
5 years and under	25.5
Between 5 and 6	6.5
„ 6 „ 7	6.1
„ 7 „ 8	8.4
„ 8 „ 9	11.5
„ 9 „ 10	9.3
„ 10 „ 11	10.6
„ 11 „ 12	17.1
„ 12 „ 13	5.0
<i>Occupation of Parents.</i>			<i>Per centage of the number on Rolls.</i>	
Labourers	54
Gasmen	}	9
Carmen				
Servants				
Tradesmen	5
Total	68

Rules.—1. The Teachers attend every Monday morning, from 9 till 10 o'clock, to admit Pupils.

2. No child having any infectious disease, or deficient in personal cleanliness, can be admitted or retained.

3. Children wishing to be admitted must apply to the Teacher on Monday morning, from 9 till 10 o'clock.

4. The doors are closed every morning precisely at TEN o'clock, and the children are dismissed at three, except on Saturdays, when the Schools are closed at Twelve o'clock.

5. An opportunity for separate Religious Instruction is afforded every day, from half past ten till eleven o'clock.

6. If any child be frequently absent, or absent five days successively, and the cause be not made known to the Teachers before the expiration of the five days, such child will be discharged from the School.

I have the honor to be, Sir,

Your obedient servant,

EDWARD M'GAURAN.*

This is, doubtless, a Roman Catholic, and, therefore, one which may be considered a sectarian School. But we contend that the full benefit of the National System should be

* This excellent Report is entirely the composition of Mr. M'Gauran, and all the facts detailed are the result of a system formed and carried out by himself. He was trained in the Marlborough-street School, and is a credit to it.—ED.

extended to these Schools: that is, we are of opinion that every creed in those Kingdoms should have the right to demand for its own people, if it will, a fair share of support—but we would prefer, if possible, to see our ragged juveniles of all religions gathered beneath one roof, to learn God's law, each according to the religion of his parents, even though that religion were but nominal. It is only by adopting either of these modes of governmental support that the movement can become a popular one in Ireland.

We have stated, that the St. Andrew's School receives support from the Board of Education; but the support is merely that given to it as a minor National School. The Commissioners have no power to recognize a Ragged School, although we have reason to consider that they would be most willing to do so if permitted by the Legislature. Were the St. Andrew's School INDUSTRIAL IT WOULD BE PERFECT.

And now that our paper upon the subject of Reformatory and Ragged Schools is concluded, and re-stating that in our next number we shall display the advantages and disadvantages of the various systems of Prison Discipline, and of Convict and Penal Labor, we think it right to observe, that however much the philanthropist may feel gratified in the success of all and each of these questions, the tax payer has equal cause for self-gratulation. If the one experience satisfaction in contemplating the improved method by which education is combined with reformation,—the other can as truly feel elated, because his property is rendered more secure, and fewer calls are made upon his breeches pocket for the support of the Gaol, the Workhouse, the Hospital, and the Convict Ship. Would that these things had been known to our fathers; would that they were *fully* known now, for well has it been written—"What hecatombs of virtue may we not have sacrificed, merely by a mistaken process in punishing vice! How much, also, may we not have multiplied sinners by an erroneous definition of sin."*

* See "Transportation Not Necessary." By C. B. Adderley, Esq., M.P. for North Staffordshire

ART. VI.—EMIGRATION, EMIGRANTS, AND EMIGRANT SHIPS.

1. *Annual Report of the Colonial Land and Emigration Commissioners.* 1853. Presented to Both Houses of Parliament, by Command of Her Majesty.
2. *Act for The Better Regulation of Passenger Ships.* 15th and 16th of Victoria, Chapter 44. Royal Assent, 1852.
3. *Memorandum on the Same, for the Use of Emigration Offices.* Published by The Emigration Commissioners. 1853.
4. *Reports to The Board Of Trade, on the Loss of "The Annie Jane" and " Tayleure," Emigrant Ships.* 1854.

There are certain periods of time, corresponding with the arrival of the chief day trains of the Great Southern and Western Railway, at the King's Bridge Terminus in Dublin, when a procession, fraught with most striking and most melancholy interest, even to the casual observer, may be observed setting out from the point of our noble quays nearest to that Terminus, and wending its painful and mournful way along the whole line of the river, to where the beautiful pile of the Custom House is distinguishable in the far distance, towering amongst the masts of the shipping.

Striking is the sight to a Dublin eye, if only because of the unusual throng upon the quays:—a throng not easily paralleled even in our busiest thoroughfares elsewhere. The sad indications of dependance and decay, which Lord Byron saw in the

“Thin streets and foreign aspects” of the fallen Queen of the Adriatic, are yet more plainly to be observed in Dublin; and hence to the citizen or accustomed visitor, the slightest appearance of a crowd in our streets becomes immediate matter of remark and wonder.

Melancholy, *most* melancholy, is the sight to the eye not only of the Dublin citizen or resident, but to the eye of every Irishman, who is worthy of being so called. And indeed the spectacle is one of sadness and gloomy foreboding to each humane mind, to every statesmanlike mind, no matter of what clime or country its possessor may be, when he is made aware of the meaning and actual character—the causes, and the only too

well proved, and now admitted evil effects, of this mournful procession, which, on following it to the shipping, he finds to be the outgoing of a People!

What he thus sees is, as we have stated, a long, continuous procession, or stream, for the whole length of the mile and a half, or two miles, from the South Western Railway Terminus at King's Bridge to the Custom House (opposite to, and in the vicinity of which, the ships are berthed in waiting for their prey) a mixed stream of men, women, and children, with their humble baggage, hurrying to quit for ever their native land!

It is not (at least at present, whatever it may some time ago have been,) a departing crowd of paupers: but unhappily an exodus of those who may be regarded as having constituted, as it were, the bone and sinew of the land;—the farmers and comfortable tenantry—the young and strong, the hale and hearty—the pride and the prime of our Nation!

Why and wherefore is this? The causes of it are said to lie deep, and to be difficult, if not altogether impossible of explanation and elucidation, without a long and intricate inquisition. This is a purely gratuitous assertion. It is not the case in fact. It is most certainly not the case as regards the original and great leading cause. Minor and subsequent influences may possibly be found to need detailed investigation and delay; that is, if their operation be considered extensive enough to make it worth while to delay. But this is at best a very doubtful question.

The real, and simple, and original cause is to be traced in the confessed and indisputable fact of the legislative and administrative mismanagement of our country—or, to express ourselves more briefly—in her mis-government.

At this point of the argument Englishmen at once, and energetically ask, "What! do you attribute the potato rot, which first gave the signal for the Exodus of the Irish peasantry—do you attribute this infliction of Providence, this Divine visitation, to English devising and English agency?"

Frankly, we are half disposed to meet this querulous, self-accusing enquiry on the part of Englishmen, with an affirmative. Their evil handling of Ireland, or that of their Government, so predisposed her for the ravages of the calamity in question, and so heavily aggravated those ravages, that the miseries thence resulting may be almost entirely ascribed to England; and thus, the practical effect has been not otherwise than if the

chief food of the Irish people had been purposely and actually destroyed by an English army.

Ireland, to use a forcible expression, and indeed a striking confession, of William Pitt, when speaking, in 1785, of the policy observed towards her by Great Britain up to that period :—"has been systematically deprived of her resources." She has been so drained by the united agencies of absenteeism, concentration of offices and public establishments in England, and taxation beyond her ability, and directly in violation of the Articles of Union, that all classes of her population have suffered in more or less degree.

The overwhelming competition of her richer neighbour, whose strength and whose wealth have never been subject to the wasting influences recorded in our melancholy history, has continued in our own days that repression of commercial and manufacturing industry in Ireland, which was begun by legislative enactment in the seventeenth century, and vigorously and relentlessly carried on by the same means throughout the eighteenth, until within a few years of its close.* The consequence has been that the whole pressure of population is thrown in Ireland upon the land; while the value of that land, estimated by its actual working profit, has necessarily been diminished by the absence of trading and commercial prosperity: no law of social economy being more clearly established, than that the various branches of industry in a country are mutually dependent and mutually supporting, and therefore that the annihilation or depression of one inevitably occasions injury to the others.

We have used, with an especial purpose and meaning, the expression of "estimating the value of land in Ireland by its actual working profit." This is to be carefully distinguished from the nominal and forced value which it held for a long period, owing to circumstances of no happy omen or operation. The total want of other resources, save those connected with agriculture, and the consequent pressure before alluded to, of the whole industrial population on the land (with comparatively insignificant exceptions in one—the Northern—province of Ireland,) inevitably tended to swell the rental—from the kind of auction bidding that occurred among the people whenever a plot of land was in the market. The amount

* See IRISH QUARTERLY REVIEW, Vol. III. No. 11, p. 537, Art. "Maguire on the Development of Irish Industry."

thus reached in figures was plainly forced, and in fact nominal,—the starving peasants whose biddings were the bases of its calculation, almost invariably failed, in more or less degree, to perform their exorbitant obligations; and all the powers of coercion in the landlord's hands—and those powers were neither few nor simple—seldom ended by accomplishing anything beyond the substitution of another struggling creature—similarly large of promise and scant of performance—for the wretch turned out upon the road, to starve and die.

The effect of this general impoverishment upon the large proportion which the agricultural classes of Ireland bear to the whole number of her population—a proportion which cannot be less than two-thirds—has been to reduce them to a very low, because a very economic, standard of living. From this they were deprived of all chance of escape by the state of the law of landlord and tenant in this country, whereby the landlord, or the landlord's agent—generally more exacting and merciless than himself, even in his own straitest necessity and sorest need—was enabled at will to raise the rent; and did raise it, whenever he saw, or thought he saw, from any little increase of comforts, or decency of appearance, indications that the tenant was able to struggle onward, and might be induced to pay, or, under strong coercion, to promise to pay, a higher rent. Hence, the unfortunate tenant was reduced down to the lowest stage of living, and the potato being the most prolific article of nourishment, and far the cheapest, the potatoe became his only food.*

When the terrible disaster of 1845—46, the "*Potatoe Rot*," as it is popularly termed, came upon a country and a people so circumstanced, wide desolation and death were the inevitable results! The poor had not means to purchase other food; and the help which England extended proved but a most insufficient, partial, and temporary resource. Those who perished not in the first seasons of distress, hastened to fly from a country that appeared doomed; and as they found a refuge on the other side of the Atlantic, the strong domestic affections for which Ireland has ever been so noted, stimulated them incessantly to labor till they could transmit, to their less fortunate relatives at home, the means of joining them in America.

Successive failures, during seven successive years, of that

* See "The Taxation of Ireland," in *Irish Quarterly Review*, Vol. III, No. 12, p. 883; and see in Vol. IV, No. 13, p. 200, Art. "The Irish Land Question," for a full disquisition on these topics.

which had been the staff of life to the Irish peasantry, not only served to keep alive the impulses that had thus stimulated flight among the timid, but which had likewise broken down the spirit and the resolution of the most hopeful and most persevering—until it seemed as if the cry of “*sauve qui peut*” had gone forth throughout the land. The one thought and the sole purpose of making or saving up as much as would pay the expenses of the American voyage took possession of the popular mind, to the exclusion of every other, and Ireland nearly altogether ceased to be regarded by her people as a home and an abiding place!

To examine into the extent and nature of this wholesale outgoing—this “*Exodus*” as, in the affected language of the day, it has been called, and to give our readers some idea of the miseries that are undergone by the poor exiles in their flight, is our object in the present paper. We have introduced the foregoing topics because, in truth, it is difficult to enter upon details without the preliminary exposition we have made, and the points reviewed do really constitute a veritable and necessary part of our subject, although apparently more in the nature of a digression.

We shall now insert a table showing the extent to which the emigration from Ireland has extended, from the year 1846 up to the year 1853, as estimated by the Government Board specially charged with the superintendence of emigration, and styled the “Colonial Land and Emigration Commissioners.” Of these gentlemen we shall have frequent occasion to write; and for brevity’s sake shall henceforth style them “The Commissioners,” requesting our readers to bear in mind the designation, whilst we shall set out in full the special title of any other body, or Board of Commissioners, to whom we shall have occasion to refer.

It is to be premised, ere giving the following statistics, that they include departures from the Clyde and Mersey, as well as from Irish Ports. This is at once accounted for by the well known fact, that a very large proportion—so large as to render the remainder insignificant—of the Irish Emigration crosses the Channel to English and Scotch Ports in search of the vessels ultimately to bear them away.

Of the Irish domiciled in England a very few indeed have been known to emigrate; and no deduction need be made for them from the sum total, estimated by the Commissioners, of the drain from Ireland.

The following then is their estimate, after allowing for the English and Scotch in the same vessels with Irish :—

Years.	Persons.	Money sent by Irish in America, for passage out of friends.
1847...	219,885	1848..... £460,000
1848...	181,816	1849..... 540,000
1849...	218,842	1850..... 957,000
1850...	213,649	1851..... 990,000
1851...	254,537	1852..... 1,404,000
1852...	224,997	
<hr/> Total of 6 years 1,313,226		<hr/> Total for 5 years £4,351,000

We have also quoted the statement of amount of money-remittances from Irish in the United States and Canada, (chiefly the former) as a point of equal interest with that of the number of emigrants. The money amount is actually *understated*: for, as the Commissioners remark, in page 10 of their last *Report*—presented towards the end of last Session—“large as these returns are, they taken no account of money sent home through private hands, of which we have no means of obtaining information, but which can scarcely be supposed to be inconsiderable.”

Incidentally, and in passing, we may note a rather curious fact open to some conjectural enquiry. The money amount sent home in 1851 was more than double that sent in 1843, yet the total of Emigration in the season succeeding the former period was only 6,000 less than that in the season succeeding the latter,—the numbers being, respectively, 218,842, and 224,997: allowing that the cost of the passage has been cheapened one-third, or nearly so, in the interval, there still remains a very large amount, the disposition of which is not apparent. The readiest account to be given of it is, that it was spent in the immediate and urgent necessities of the first dreadful season of distress and famine.

Before dipping into any of the intricacies of figures in detail, we wish to afford the reader a sufficient, general idea of the conditions under which the extraordinary Emigration-movement we are considering has proceeded, and under which it is still progressing.

Australia is the point of one great division of the Emigration; and North America (including both the United States and

British possessions) is the goal of the other. The proportions which prevailed during the last periods of which we have an account—the years 1851 and 1852—were as follow :—

Years.	To the United States.	British America.	Australia.	All other places.	Total.
1851	267,357	42,605	21,532	4,472	335,966
1852	244,261	32,876	87,881	3,749	368,764

The increase in the latter year of the Australian Emigration not alone clearly accounts for the trifling decrease of the American total, but shows that the temptation of the gold discoveries is beginning to operate powerfully.

There are the two following *subdivisions*, as they may be styled, of the Emigration. To Australia there is an Emigration conducted not only under Government regulation—that is, under superintendence of the Commissioners before alluded to, but actually promoted and mainly paid for by them. There is, secondly, what is called the free Emigration, namely, that which is indeed subject to the Commissioners' supervision, but *originates* in private enterprize, and is mainly controlled by private agreements. The Australian Emigration includes the two subdivisions just mentioned, but the American Emigration is altogether of the last, or second, description—that styled "FREE."

Attempts to regulate the "Passenger" trade date earlier than the present century, and indeed began at a very early period of the acquisition and settlement of the North American Provinces—the present United States. The reader is, doubtless, aware of the system by which it was, for many years, attempted to supply the deficiency of labor in those provinces,—a period extending even so far back as the date of the Duke of Monmouth's Rebellion in 1685, when it originated with the infamous Jeffries.

The system was a compound of convict transportation and of the slave trade, both in their worst forms; and it was productive of such miseries and horrors, that feeble as was the public opinion of those days, it became concentrated enough to compel the ruling powers to devise means of mitigation and control. Subsequently, under the increasing pressure of public odium, the system was gradually restricted more and more, until it shrunk to a mere shadow of its pristine injustice. But

its total and absolute relinquishment dates only from a few years previous to the outbreak of the American Revolution.

We would here willingly dwell on the history of Emigration, forced and voluntary, during the times to which we have alluded. But it would be impossible to deal at all suitably with the pressingly important subject of our present Emigration, were we to give place to what does not immediately and directly concern it.

It was not till some time after the conclusion of the American war in 1785, that voluntary emigration began to assume importance enough to attract the special attention of the Legislature. As to convict-emigration, or transportation—(which, on the cessation of the system under which it was carried on to the colonies, or "*plantations*" as they were called, of America, had found a new outlet in the discoveries of Captain Cook in the Pacific,)—the active superintendence of Government officers, not only at the port of embarkation, but during the voyage out, and at the port of landing, provided chiefly for its requirements. And whatever power was wanting for its better regulations was given, from time to time, in occasional clauses of what were then known as "*hotch-potch*" acts of Parliament:—acts drawn up with a view to include, within the compass of one statute, the legislation for a variety of matters not deemed of sufficient magnitude to be entitled to the dignity of a separate act of Parliament for themselves.

To this clumsy, and, as it appears to our eyes, really disgraceful expedient, resort was subsequently had, for a brief period, when regulations were to be imposed upon free emigration. The latter received a sudden and extraordinary stimulus after the settlement of the United States as an independent country; and such were the evils and miseries which the want of experience in the emigrants, or the cupidity of the exporters of the human freight entailed upon the latter, that ere a dozen years had quite elapsed since the stream began to set outwards strongly, Parliament was forced to lay aside its apathy, and commenced to legislate, separately and especially, for free emigration.

The first act for this purpose was passed in 1803, and takes its place on the Statute Book, under the designation of the 43d of George the Third, chapter 56. By this act the number of passengers to be carried in any British vessel was limited to one person (including the crew) for every two tons of the unladen part of the ship; and in foreign vessels two persons

for every 5 tons. Vessels to North America were required to be victualled for 12 weeks ; so as to afford a daily allowance for each person of half a pound of meat, one and a half pound of biscuit or oatmeal, half a pint of molasses and one gallon of water. A surgeon was to be carried, and he and the master were each to give a bond, in £100, to keep a true journal ; and a bond was also to be given by the owner of the ship for her seaworthiness, and for the safe delivery of the passengers.

There was some intermediate alteration in detail ; but it was in the year 1817 that the Legislature made alterations of any importance. The number of passengers was, by the act of this year, the 57 Geo. III., c. 10, further limited to one person for every two *and a half tons*, and the dietary was improved. In 1823, the 4th Geo. IV., chapter 84, was passed, reducing the number of persons on board, *including the master and crew*, to one person for every *five tons*. Each passenger to have a space to him, or herself, of six feet in length and $2\frac{1}{2}$ in breadth. Two children under 14, or three under 7 years of age, were to be computed as one adult passenger. The Bonds mentioned above were to be in the amount of £20 *for each passenger* ; and a surgeon should be provided if only 50 persons, *including the crew*, were on board.

In 1827, the act, 7 and 8 George IV., chapter 19, abolished all restrictions and legal regulations of "the passenger trade" — i. e., of emigration.

In the very next year the extreme impolicy of this abolition was acknowledged, and an act passed reviving the former regulations with few exceptions. The proportion of persons on board, to the ship's tonnage, was however a good deal altered ; being fixed at three persons for every four tons.

The next Legislation was in 1835, when the ratio was again altered, being made three persons to five tons ; and every passenger was declared entitled to ten clear superficial feet of space on the berth deck. By the last two acts meat was struck out of the dietary, and there was no requirement of a surgeon for less than 100 passengers. The latter were to be victualled, or receive a shilling a day in lieu thereof, for every day of detention.

The next act of importance was the 5th and 6th Victoria, chapter 107, passed in 1842 ; under which the present regulations of giving each passenger a berth six feet long by one and a half wide, with six inches beneath the lower of the two tiers of berths, and six feet height between decks of the ships, were

enacted. Three quarts of water, the quantity now directed, were to be issued daily to each passenger; and the dietary was allowed to be varied by the substitution of five pounds of potatoes for one pound of bread-stuffs. * Boats were to be on board in the ratio of three to a vessel of from 250 to 500 tons, and four to those above that register.

In 1847, 1848, and 1849, various alterations in details were made by acts passed in each of those years: but that a satisfactory state of things was not yet arrived at, is proved not only by the very fact of these alterations so quickly succeeding each other, but by that of their all being subsequently amended by an act of the year 1852, which is the law existing at this moment for regulating the carriage of passengers.

It is now necessary to give the reader an idea of the nature of this last mentioned enactment, which is judicially quoted as the 15th and 16th Victoria, chapter 44. We shall here, accordingly, analyze it, contrasting its chief provisions as we proceed with some of the leading regulations enacted in the United States for the same purposes.

It is necessary first to state the legal definition of "*Passenger*" and "*Passenger Ship*" under the laws governing Emigration.

It is, perhaps, the shortest course to state at once, that *Cabin Passengers*—i.e., persons paying for accommodation in either the first or second cabins of the emigration vessels, are literally not recognised as "*passengers*" at all! They are subjected but to a very few of the regulations of the law; and are taken notice of for those purposes, not under the denomination of "*passengers*," but as what is called "*statute adults*," (when estimating the respective allotments of space,) or as "*individuals*" when calculating the whole number of human beings on board, in discovering if the number reached that at which there is a legal obligation for the engagement of a surgeon.

"*Passengers*" then, in the view of the Emigration law, (or "*Passengers*" act,) really mean only those who take passage in the cheapest and least comfortable part of the ship, where they sleep and eat, and spend the chief part of their time with as little privacy, or particular privilege, as the occupants of a common room in a barrack on shore.

It is held that first and second cabin passengers, being better off in worldly means, and usually better informed persons than the others, are comparatively well able to take care of

themselves, while the poorer and more ignorant require the protection of legislation. This is very plausible, and certainly *ought* to be the case: but unfortunately, afloat as well as ashore, the devil, as some one has said, has made "practice contradict theory;" and accordingly the first and second cabin passengers have, on the average, been found to be nearly as helpless and useless to themselves, as the poorer class, notwithstanding their better means of providing all comforts.

However, we have only to do with the law as it stands, and those whom it especially contemplates. We shall proceed then to review its provisions as soon as the definition of "Passenger Ships" is stated. The following is the official definition, as given by the Emigration Commissioners themselves:—

"A passenger ship means a *sailing vessel*, carrying more passengers than in the proportion of one statute adult to every *twenty-five* tons (of registered burthen,) — or a *steamer* carrying more than one person to every *ten* tons of her registered tonnage on any voyage to which the act applies. Vessels of war, transports, regular mail steamers, and vessels trading to the Mediterranean, are wholly exempt from the operations of the act."*

Sections ten, twelve, seventeen and eighteen, of the English "Passengers" Act contain the main provisions regarding the number of persons on board, and the space to be allotted to each. Counting every one on board, including Master, Mates, Seamen, Doctor, Stewards, and Passengers of every grade and degree, there must not be more than one person to every *two* tons of the registered tonnage of a sailing ship. In calculating the space allowed to each individual, the master and his officers, the stewards also, and the first and second cabin passengers are not provided for; but solely those whom we have before mentioned as coming under the denomination of "statute adults":—viz., each "passenger" of the age of fourteen years and upwards, or *two passengers under that age*, and above one year. Infants less than twelve months old are not counted at all,—a serious defect upon which we shall have occasion presently to observe. To each of these "statute adults" the English law allots twelve clear feet if the voyage be to North America, and fifteen feet if the vessel have to enter the tropics; or if the voyage necessarily occupy twelve weeks.

Here the first discrepancy between English and American legislation, relative to emigrants, is found to exist, and a very

* Emigration Commissioners' Memorandum, 1852-53.

important discrepancy it is. The American act requires not less than fourteen feet for each passenger on the shorter voyage; and where the tropics are to be visited not less than *twenty* clear feet to each. There is no reason—that is, no satisfactory reason, why the English act should not have similar provisions. The English Commissioners say, indeed, that “the act prescribes the *minimum*, but not the *maximum* ;” and that there is nothing to prevent the charterers and fitters of Emigrant vessels from giving more space than that absolutely required by law. But this a delusion and a folly. There was nothing to prevent the parties alluded to from voluntarily adopting all the regulations now made compulsory, and which have so long been, as we have seen, the objects of legislation. Yet they did *not* adopt them, and consequently Parliament had to step in, and compel them to do what their own judgment might perhaps allow to be necessary, but what their views of their own interest prevented their doing of themselves. Space is valuable, it is scarcely necessary to state, aboard ship, as the more passengers can be crowded in, the better of course the money-returns of the adventure. Space, therefore, will never be voluntarily given up, and it has not been found so given in the past. The “*minimum*” the Commissioners so complacently talk of, has been in truth and practice the “*maximum*,” as might have been expected.

Of the entire amount of space allotted to each “*statute adult*,” six feet by one and a half is to be occupied by his bed, or “berth.” Those berths are like shelves ranged along the sides of the ship, in two tiers. The height “*between decks*,” or to use shore phraseology for the purposes of easier explanation, the height from that which is the floor, to that which serves as the ceiling of the common apartment where these berths are, is enacted to be not less than six feet, and of that there must be one half foot—six inches—between the bottom of the lower tier of berths, and the deck or floor. This is for the purpose both of keeping the sleeper below from the damp and dirt of the floor, and of enabling the latter to be cleaned under the berths. The remaining five feet and a half are to be divided, as may seem best, for the equal accommodation of the two sleepers.

It will be seen that this is rather close packing, although a great improvement on the state of things twenty-five or thirty years ago. But, practically, it often happens that this space is much encroached upon by the beams, or to use the

land phrase, the "*joists*" of the decks below and overhead, which are often in evasion, if not in direct violation of the law, allowed to intrude :—the six feet enacted by the "Passengers' Act" being counted from between those beams, and not from the bottom of the beams themselves.

Several other evasions are found to occur, attributable either to the cupidity, or recklessness, or both, of the parties fitting the ship :—such as the slender construction of the berths, whereby they easily get broken down at sea—the want of proper divisions between them—the intrusion of articles other than passengers' luggage upon the "clear 12 feet" enacted for each. And a crying evil and monstrous evasion has been noted in some ships, in the absence of a sufficient screen to keep the unmarried men on board from the view of the married persons and females. A bulkhead is, indeed, to be seen in several vessels, according to the requirements of the Act, which provided that "all unmarried males should be berthed in a compartment by themselves in the fore part of the ship ; or in separate rooms if the ship be divided into compartments, and fitted with enclosed berths."* But this bulkhead, where found to exist, is "*lowered*," that is to say, is of open work, in order (it is stated in excuse) "*not to impede ventilation*," and consequently, for all purposes of decency, or, perhaps, any purpose at all, it is entirely useless.

Sections 16 and 23 of the English Act deal with the important subjects of "Light and Ventilation," which are also partially touched upon in other sections. Certain tubes or funnels of metal are to be used, in addition to the ordinary sea-expedient, "wind-sails," or cylinders of canvass distended by hoops, suspended down the hatchways. The Inspecting Emigration Officer is to satisfy himself as to the efficiency of those tubes or funnels. But there is one important matter that has escaped the notice of English Legislators, while it is carefully provided for in America. This is, the admission of air by the hatchways.

For the information of such of our readers as may be little acquainted with the arrangements of ships, it is necessary and sufficient to explain the term "Hatchways," as meaning certain square, or nearly square, openings in the deck, where the ladders are fixed, by which seamen and others on board ascend or descend, from or into, the interior of the vessel. They may

* Commissioners' Memorandum, 1853.

be considered as forming both windows and doors to that interior,—because even where there are openings in the sides (called by sailors “ports,” or, if of small size, “scuttles”) they are generally closed at sea, unless in very large vessels, and in bad weather must be shut in all: so indeed, in bad weather, must the ordinary hatchways, to prevent the water pouring down, when “a sea”—that is a *wave*, comes inboard and breaks on the upper deck. It is, of course, evident that when they are closed, light must be altogether, and ventilation very seriously, impeded.

Aboard of English ships, under the existing law, there is no remedy for this; and the unfortunate passengers below may bake, and sweat, and swelter in their fœtid confinement for days and nights, while the bad weather lasts, with little or no chance of even a temporary relief. The Americans, however, have taken care to provide a remedy in their ships.

By Section the 1st of the Act of Congress of the United States, (chapter 41 of the 30th Congress) year 1848, it is provided that there shall be—

“A house” (i.e. a wooden erection, something in the nature of what is called the companion aboard our larger steamers in the channel,) “over the hatchway, or passage way, with two doors, the sills of which shall be one foot above the deck, (in order to prevent water getting below) and one door, or window in the same shall always be kept open.”

This is practicable from there being doors, or windows, or both, at each side of this “house”; and those on the *lee* side,—i.e. the side remote from the wind and sea—can be safely opened in almost any kind of weather.

It is true that in this, and some other particulars, in which American Legislation, and solicitude for the welfare of the poorer emigrants, have been proved greater than is the case at this side of the Atlantic, English vessels entering American ports—we should say more correctly *ports of the United States*,—are compelled to conform to American law. But why should it not be provided that before they start, they shall have accommodation equal to that given by the Americans? It is easy, at the end of a voyage, to make things appear as if all had been done as required, or to lay to the score of “accidents at sea” the deficiencies. And thus the spirit of the American law is often defeated, while its letter appears to be complied with. But with regard to the whole of the Australian Emi-

gration, and of that to the British North American Provinces, there is no semblance even of attention to, or adoption of, any other provisions save those laid down in the English Act of Parliament referring to Passenger Ships.

Having alluded to the United States' Emigration, this will be the proper occasion and place, to bring under our readers' notice what must be confessed to be a very great defect indeed, in the international arrangements and conventions at present existing between that country and the United Kingdom. The Americans, as it will have been seen, have been busy like ourselves with legislating to control and regulate emigration, and securing the interests of the poor and unprotected. They have indeed passed no less than three acts on the subject in the brief course of three successive years, to say nothing of former acts relative thereto. The years 1847, 1848, and 1849, respectively, witnessed the passing in each of an act amending the previous ones. The last mentioned act, chapter 6 of the 31st Congress of the United States, passed, as we have stated, in 1849, does not, indeed, materially vary or add to the provisions of the Act of Congress of 1848; but still makes some amendments; and it, and the act it confirms, are generally read together, when there is legal question upon the emigration regulations in force.

At this present moment the American Congress is understood to be again actually legislating, or preparing to legislate, in further amendment of these regulations and provisions. Similarly in England there are symptoms of dissatisfaction with the existing state of the law; and a Committee is sitting, even while we write, to take evidence upon its defects—as fearfully illustrated by the loss of life aboard emigrant ships during the last eight or nine months; and to discover in what manner, and to what extent, further precautions can be taken for the safety and well being of the voluntary exiles still leaving our shores in such large numbers.

Yet busy as both Legislatures have been, and anxious as they have shewn themselves to arrive at a solution of the difficulties they have found in the way of establishing a thoroughly satisfactory system of Emigration superintendence, it has never been mooted, at least openly, in either of them, that a mutual concert—a mutual agreement to provide for the enforcing of each other's regulations—would be a very practical and useful mode of securing their common purpose. At present the regula-

tions of either have force and validity only in their own ports respectively; and the moment the ship is clear of the land, *bound to a foreign port*, the regulations under which she sailed become practically of no more value than waste paper!

We state, bound to a *foreign port*—i.e. an English ship bound to an American port, (and of course to any other port not of her own country,) and an American bound *vice versa*. English ships bound to Canada indeed, or to any of our smaller North American possessions, and those bound to our Australian territories are of course still subject, on arrival, to English authority, and their masters, or owners, or both, can, (after rather a circuitous fashion,) be called to account, and punished for contravention of the regulations under which they sailed. And indeed the emigrant in a British ship going to the United States cannot be said to be altogether without redress, but only *provided he come back to England to prove his case in person*—a contingency not very likely to occur.

Even with regard to the supervision in our own colonial possessions, there is much to be amended. Whether through neglect, fear of giving offence to strong mercantile interests, or actual official incapacity, the surveys on arrival have been, in some instances at least, exceedingly imperfect and superficial, and in others they have been rendered nugatory by the previous disembarkation of at least a portion of the emigrants. Naturally these poor creatures are anxious to quit the floating prison, where they have been so long shut up among all manner of festering abominations; and the moment they set foot on shore they do not willingly return *even to the thought* of the ship; and thus the means of procuring evidence of infringement of regulations, or other bad treatment on board, are quickly and entirely lost.

The first impulse on hearing of the possibility of even one case of this neglect naturally is, to cry out that Government should at once be called upon to see to the rigid enforcement in the colonial ports under its authority of its own regulations. We would not be just if we neglected to state that several of its officers appointed for this purpose are known to do their duty thoroughly; and that in many cases, where mischiefs are patent, those officers have failed to remedy them, simply for want of power. Their hands should be strengthened at once. And we are confident that the public voice will equally be raised for immediate and *effective* negotiation with

the United States, to concert with the American Government, and establish with their concurrence and simultaneous action, such regulations (*with means of enforcing them*), as shall ensure a thorough examination of Emigrant Ships, immediately on arrival, and before a single passenger has left for the shore.

As we have—rather before we exactly intended it—placed before our readers some recommendations, it may be as well here at once to make one which will perhaps surprise them. WE WOULD RECOMMEND THAT FREE EMIGRANTS SHOULD BE TREATED AT LEAST AS WELL AS CONVICTS IN TRANSPORT SHIPS!

The following, shortly, are discrepancies which positively exist, and surely ought not much longer be allowed to continue, between the treatment of the two classes in question.

No vessel would be chartered by government for convict transportation, save one that stood in *Lloyd's Register*, at least in the *second* class, in reference to general seaworthiness, if not in the first. But, with regard to free Emigrants, although for that portion of them who go out directly and immediately under the auspices and care of the Colonial Land and Emigration Commissioners—(a comparatively small section out of the whole number)—some such provision is made, for the others there is no such stringent regulation. All that is stipulated for is, that the Local Inspector of Emigrant Ships shall "*satisfy himself*" as to the fitness of the vessel—a most imperfect and insufficient provision, as we shall presently have to show, even where there is an experienced officer in the above capacity—but a provision altogether illusive and nugatory in some ports, where the business of inspection may chance to fall into the hands of an ignorant landsman in the capacity of a Custom House Surveyor, to whom, in the absence of a regular officer, the duty is entrusted.

Even naval officers are not of themselves wholly competent for this duty. They require the attendance of an experienced master carpenter to arrive at a real knowledge of the state of the hull of the vessel. Masts, sails, yards, cabin fittings, and what seamen call "ginger-bread work"—i.e. ornamental work, may be easily surveyed and pronounced upon; but it takes a skilful sea carpenter to ascertain the paramount point—the soundness of the bottom.

The next particular in which the treatment of Convict Emi-

grants is much superior to that of free Emigrants lies in the fact that they are insured a sufficient and regular dietary, in which meat appears at least on three week days, besides Sunday—alternating on the other three week days with meat-broth. Free Emigrants get no meat, the law being only permissive, and, as it were, suggestive of its being given—but not absolutely requiring it. In this case, as in that of the measurement of space, the contemplated *minimum* enacted is found, in fact and practice, to be the maximum.

Thirdly, a convict ship is not allowed to carry cargo, lest the space for its human freight should chance to be diminished thereby, or the accommodation deteriorated; and also, lest the cargo by its nature, or *storage*, might endanger the good management, or perhaps the safety of the ship when meeting heavy weather. On the other hand, emigrant ships—i.e. vessels bearing free emigrants—are allowed to load what cargo their owners please, provided the before mentioned *minimum* of space is left to each passenger. And we shall presently cite cases proving the injurious and dangerous nature of some cargoes—especially of iron—which, until rather recently, was loaded with no restriction save that in reference to space just stated, and which is still permitted, to the extent of TWO-THIRDS of the *registered tonnage*!

Fourthly, convict ships, and indeed all ships *directly* under the control of the Emigration Commissioners, and chartered by them, are bound to have at least four seamen for every hundred tons of their registered burthen. Freeships had, and have, generally speaking, only three—or even a *less* proportion in some cases! True it is, that under the pressure, we rather suspect of the Emigration Committee at present sitting, a Government regulation has very lately been issued to compel *all* passenger ships to conform to the rule of four men for the hundred tons. But already the clamorous and powerful shipping interest at Liverpool has succeeded in getting that rule temporarily suspended, and if the public voice be not raised in its favor, there is much danger of its being totally abrogated.

Finally, the most minute and particular reports of the state of health, during the voyage, and on debarkation, of the convicts is rigorously exacted; and the officials whose office it is to make these reports, are sure to be punished if the least neglect of duty is found to have occurred. We have already shown that no such reports seem attainable under the

present system with regard to the far larger proportion of the emigration,—that to the United States,—and even in reference to the emigration to our Australian and North American dependencies, the method of inspection has been anything but satisfactory.

After the explanation we have now given, of our opinion that free emigrants should be treated at least as well as convicts, we are confident the recommendation will receive warm concurrence from every man who may read these pages.

One more suggestion ere we proceed to quote from records, official and otherwise, of indisputable facts, proving the necessity of attention to these matters. We make this recommendation the more confidently as it is one which the truly benevolent, truly admirable Mrs. Chisholm most anxiously desires to see adopted, and which, though suggested doubtless by her own kind womanly heart in the first instance, has been more and more impressed upon her by her great experience in the voyages which, in her great anxiety, she has made from time to time, and which enable her to form her own opinions.

The suggestion or recommendation is, that children, even the youngest—even *infants*—should be allowed the same minimum of space given to adults. Air and ventilation are more necessary for the health and well being of young children than for strong men and women arrived at their full growth. Yet neither the American nor the English laws enact that infants, of one year and under, shall have any such provision in their favor, or be considered at all! And England limits children, under fourteen, to one half only of the miserable "*minimum*" of space allowed to adults. In this point the American law, though still very defective, is superior to ours. It insists that all children of EIGHT years of age, and of course from that age upwards, shall have equal accommodation with their elders; and enforces the limit of half space, only in the case of children between the ages of one year and eight.

We trust that Mrs. Chisholm may succeed in her most benevolent endeavour in this respect, as in others; and that even the infant in arms will be considered, and allowed for, in the apportionment of space. A fearful proof of the necessity of amendment in this particular lies in the fact, that in the comparatively well regulated ships under the particular control of the Commissioners, *three-fourths* of the mortality, observable in recent years, was of *children* under the age of five; and out

of the remaining one-fourth the deaths of children, at and above that age, have to be further deducted.

We now come to quotations. The first which we shall present are from *Reports* of the emigration directly and wholly under the control of the Colonial Land and Emigration Commissioners, and therefore the best managed and most carefully watched. The funds applied to this particular emigration are in part derived from the sales of land by Government in the Australian dependencies, and in part derived from the private means of the emigrants themselves, where the latter happen to be of a more comfortable class of people than those who form the bulk of the ordinary exiles. There is, then, no want of funds or of superintendence, yet the following facts have been proved, and are found in

"Reports of the Immigration Agent and Immigration Board of the Colony of Victoria, to the Secretary of State:—

Immigration Office, Melbourne, 19 October, 1852.

SIR, I have the honour to call your attention to a practice which has recently prevailed in the transmission of immigrants from England to this colony, which, should it be persisted in, will I fear be eventually attended with very serious results. I allude to the instances which have recently occurred of ships of the largest size (viz. from 1,400 to 1,700 tons register), being chartered for this service, each vessel carrying from 700 to 1,000 souls. It must be apparent to all, that in the event of any disease of a virulent and contagious nature breaking out among such a mass of human beings, during a voyage of three or four months, its progress would be far more difficult to check than where the number of passengers is more limited, and consequently more manageable. As yet no such fearful visitation has occurred; but still the results of the voyages of the three ships to which I more particularly refer, viz., the 'Bourneuf,' of 1,495 tons, the 'Marco Polo,' of 1,625 tons, and the 'Wanata,' of 1,442 tons (carrying respectively 754, 887, and 758 passengers), show so large a mortality as compared with that which has usually taken place in ships of a more reasonable size, that the fact would be of itself a sufficient warning against a continuance of the practice. In the case of the first of these ships, the deaths, although principally confined to children, amounted to the large number of 84; in the 'Marco Polo,' although a most magnificent ship, and under most efficient management, 52 deaths occurred; and in the 'Wanata,' a species of low typhoid fever prevailed, which subjected the ship to a lengthened quarantine, 48 cases of illness having terminated fatally. In all these instances the surgeons-superintendent ascribed the mortality in great measure to the size of the ship, and the large number of souls on board, and they expressed a strong opinion, in which the medical members of the Immigration Board here most fully concurred, that it would

be advisable for the future to limit the number of immigrants despatched on board of any one ship for so long a voyage, to from 300 to 400 at the utmost. Independently of the principal reason which I have above alluded to for the discontinuance of the employment of ships of so large a size, there are many other facts which might be adduced in support of the objection. 1. The difficulty of managing and controlling so large a body of all ages, sexes, and religions; the harassing and wearying nature of which duty, and the weight of the responsibility incurred, appears to have caused the serious illness of the surgeons of all the three ships above mentioned. 2. The crowded state of the ship, and more especially of the 'tween decks in bad weather, the extreme difficulty of proper and efficient ventilation, the want of which was at times severely felt (upon the upper deck particularly), and which no amount of care could at all times prevent. 3. The inconvenience experienced in getting access to the luggage and the stores for so large a multitude, the difficulty of providing proper cooking apparatus, and the want of room on deck for a proper amount of air and exercise. 4. The inconvenience which must be experienced in making the necessary arrangements for the reception of so many immigrants at one time, and the heavy expense which may be entailed upon the Government, should circumstances render it necessary to place vessels in quarantine, as occurred in the case of the 'Wanata.' The 'Marco Polo,' was despatched in undue haste from Liverpool: the decks are reported to have been lumbered with luggage. As the ship was carrying an unusual and excessive number of passengers, this want of arrangement is much to be regretted. The galleys were decidedly too small;—the plumbers' and some of the carpenters' work bad, and carelessly done....From the haste in which the ship was despatched many stores were mislaid. The Immigration Board visited the 'Wanata.' The fittings of this vessel were in many respects very imperfect, as had been frequently found to be the case in other ships despatched from the same port. The water-closets, more especially, appear to have been a source of constant annoyance, and even to have threatened serious consequences, from the difficulty of obtaining proper cleanliness and ventilation. The locks of the doors were in many cases perfectly useless. The hospital accommodations were far too limited for the large number of passengers, and quite inadequate to ensure the proper separation of the fever patients from the more ordinary cases of sickness. The large number of deaths during the passage may be partly attributed to the very unadvisable employment of a *two decked* ship in the conveyance of so large a number of passengers. The surgeon distinctly traces the origin of fatal illness in many instances to the exposure of a large number of the immigrants to a whole night's drenching rain, on the deck of the steamer from Glasgow to Liverpool. The suet on board proved to be so bad as to cause its condemnation; and a still more serious evil was discovered in the badness of the water, a very large proportion of which was quite unfit for use, being full of a slimy gelatinous substance, resembling frog-spawn, and impregnated with a most nauseous flavour; to such a pitch did this evil

extend, that it became a matter of the most anxious consideration whether it would not be advisable to put in at the Cape of Good Hope, notwithstanding the risk incurred by the stormy season, a course which it was at length decided that it was inexpedient to take. The Board cannot avoid remarking upon the inexpediency of embarking so large a number of souls in one ship. The danger to the general health incurred thereby, and the difficulty of thorough ventilation being, in their opinion, irresistible arguments against the continuance of the system. The 'Bourneuf' is roomy on deck, and her fittings appear to be in good order, with the exception of the shoots for carrying off dirty water, &c. &c., which had been removed; and of the water-closets, which were reported of inferior construction and leaky. The galley was on a plan which had occasioned some difficulty in maintaining due order during the voyage. A disagreeable smell was perceptible on the starboard side aft, on the quarter deck. The lower deck was dark, and in bad weather difficult to ventilate. The hospital accommodation was insufficient, as it was entirely on the upper deck, and not larger than would have been required for that deck alone. The supply of extra bedding for the use of the hospital, and in case of accident, was much too small; in fact, there was not even one bed to each berth in the hospital. The Board is of opinion that in so large a ship, at least two dozen additional beds should have been furnished. The surgeon had represented in Liverpool, that the number of beds he had received for the hospital aboard, and for all contingencies, was insufficient:—being only two large and eight small beds. But he got no more."

To these extracts we subjoin the remarks of the Lieutenant-Governor of Victoria, C. J. Latrobe, Esq., on the case of another large emigrant ship, which arrived at that colony about a month later than the ships already commented upon.

"Sir,

Melbourne, 9 November, 1852.

My despatch, No. 142, of the 21st October, with its inclosures, will have directed the serious attention of Her Majesty's Government to the evils and disadvantages attendant upon the chartering of vessels of heavy burthen for the conveyance of large numbers of emigrants to this colony.

2. I regret to be under the necessity of furnishing another example in proof of the propriety of the question being raised. On the 4th instant, I received intimation through the health officer, of the arrival of the emigrant ship 'Ticonderoga,' from Liverpool, with 800 Government immigrants, at the Port Philip Heads, having lost 102 by death during her voyage, from typhus and scarlet fever, and having an equal number sick on board of the same diseases; the surgeon-superintendent also sick, and the vessel in want of medicines and medical comforts."

The Home Government called upon the Emigration Commissioners to meet these statements, which they proceeded to

do with much evident anxiety to have the facts fully laid open, as to be enabled to apply the proper remedies where their system required it. Still there was, naturally enough, some manifestation of the reluctance of officials to confess themselves at all at fault, or *in fault*, and, accordingly, great and elaborate pains at explanation were taken by them, with, however, not much success. After suggesting various causes for the mortality complained of, they at length confess that two-decked ships are *not* fit for the healthful conveyance of passengers, and that they were only driven to take them up by the great demand for labor created in our Australian dependencies by the results of the gold fever—adding, as a concurrent difficulty, the then state of the shipping market, which greatly crippled them in their choice. And, ere concluding, they in effect admit the whole case made against their system, (at least in some of the more important points alluded to) by the following paragraphs:—

“On the first intimation which reached us of the mortality in our ships, and before receiving either of the letters now under reply, we had already advertised our intention to employ no two-decked vessels in the emigration service, and had determined on a more stringent rule with regard to children. We shall hereafter accept no families in which there are more than two children under seven, or than three under ten; and the desire to emigrate to Australia is now so strong, that we can make the change without any risk of not filling our ships. We shall also take measures so to allot our emigrants, as to reduce as much as possible the proportion of children shipped in vessels of more than 1,000 tons burden.

It is proper to inform the Duke of Newcastle, that of 98 ships engaged by us during the last year, only ten have carried more than 500, and eight (of which these are four,) more than 600 persons.”*

We now come to some of the more recent cases of loss of life in emigrant ships, which have appalled the public mind, and given it its present strong bent towards insisting on further legislation to protect the human freights of those vessels. The following is the *Report* of a naval captain of high character, Captain Beechey, (attached to the Naval Department of the Board of Trade,) upon the melancholy circumstances attending the loss of the “Annie Jane,” in September last, upon the iron bound shores of the little Island of Barra, on the west coast of Scotland.

* “Report from Victoria Colony, and from Emigration Commissioners:” Ordered to be Printed 8th March, 1853.

Captain Beechey was sent down by the Board to which he is attached, as just mentioned, to enquire into the case and endeavour to ascertain the original causes of this most fearful disaster, which involved the sacrifice of the lives of no less than three hundred and twenty-one, out of three hundred and eighty-five passengers, besides five persons of the vessel's crew.

"The 'Annie Jane' was a ship of 1,294 tons burthen, owned by Messrs. Holderness, of Liverpool. In August 1853, she took on board a cargo, principally of iron, and embarked 385 passengers; and she had a crew of 35 persons in all (afterwards increased to 41), of which about one half were Canadians. On the 24th August she received her clearance from the Emigration Office, and put to sea the following day; about noon she passed Rathlin Island; the wind was then fair, and the ship had shaped her course for Quebec. Almost immediately after putting to sea the ship was found to roll heavily, and the emigrants suffered much on this account. On the 26th, while running with the wind on the quarter, with whole topsails and top-gallant sails set, the labouring of the vessel was so great that the three topmasts and the head of the mizen-mast were carried away, and the master, at the request of the passengers, bore up, and returned by the South Channel to Liverpool, where he arrived on 31st August, after an absence of seven days. The passengers, on their return, made great complaints of the overcrowded state of the ship, of the filthy condition in which she was, and of the manner of serving out the provisions, and of the ship in general; and several quitted her under the impression that she would never reach her destination. These complaints were heard in the proper quarter, and as regards the provisions, adjusted by the owner, with great liberality, paying each of the passengers a compensation for the injury he complained of, although it did not appear to the Emigration Officer that he was called upon to make the payments to the extent which he did. The master of the ship, who had commanded many iron laden vessels, being under a conviction that it was the cargo being stowed too low in the hold that was the occasion of the heavy rolling of the vessel, had part of it removed from the run and placed higher up. The mizen-mast was scaphed, the topmasts replaced, and some rigging, which had been a year in use and well stretched, was substituted for the former set, and the vessel was again ready. The crew were now strengthened by an addition of six seamen, which increased their number to 41, including officers, stewards, carpenters, &c.; and on the 9th of September, the passengers who had quitted the vessel being replaced by others, the 'Annie Jane' again put to sea. As before, she steered through the North Channel, with the wind at S.S.E., and everything seemed prosperous until the 12th, except that the ship was still found to roll and labour in a very unusual manner, much to the discomfort and suffering of the passengers."

* "Report of Captain Beechey, R. N. On the Loss of "The Annie Jane."

Here follows a detailed description, intelligible only to the nautical reader, of the various accidents, &c., to her spars, gear &c., and the various courses steered, the winds and other such matter. We omit all this, to come to what will be more generally comprehended, and which contains the account of the final catastrophe itself. The vessel has been driven into a small rocky bay, and the *Report* thus proceeds :—

“ She struck at some distance from the shore and broached to. The sea swept over her decks and washed away the house before the mainmast, the long boat and about 100 passengers. Also three other boats on the poop, to which several passengers had clung as a last resource. The scene was beyond description! The foremast unstepped, its heel went through the bottom and in falling cut the side up. The mizen-mast fell, in the same way; also ripping up clean, and separating the after-part of the vessel. The sea washed into the steerage and cabin through the breach, and the ship heeling over, many were unable to get up from below and were drowned. The poop too fell in and crushed many more.”——The witness, Morgan, observes; ‘ The passengers broke through the bulkhead into the cabin and were all screeching. A sea struck the ship. I was at once up to my middle in water, and in about 2 minutes all was quiet.’—Two hundred souls had in fact ceased to exist! * * * * *

“ Upon a careful review of the evidence, which I have been at much pains to collect from the captain and the crew, as well as from the emigrants who were passengers in the vessel, there can be no doubt that the loss of the ‘Annie Jane’ was occasioned by her having taken on board a cargo of iron, without due care having been observed in its stowage. The improper disposition of the weight caused the vessel to roll and lurch so violently, that she tore away her masts, and strained and leaked throughout, and being unable to keep off the land, in her crippled condition, she was ultimately wrecked. Under these disastrous circumstances she had a crew, who, though in appearance were more than ordinarily good, were not sufficient in number for such a vessel, especially at such a season of the year, and were besides composed partly of Canadians who with very few exceptions were afraid to go aloft at sea, and who either would not or could not understand the orders that were given. By the agreement (A.) there were 41 persons in all, of which 9 were either mates, stewards, surgeon, cooks, carpenters, leaving only 32 seamen for a vessel of 1294 tons—(a number much too small.) * * * * *

“ The numerous accidents which have occurred to passenger ships from this country seem to render necessary some more stringent measures than have hitherto been in operation. From a return of the casualties which have happened to these vessels in the last year, it seems that out of seventeen vessels which put into Cork damaged, and leaky, thirteen were laden with iron, and of those which put

back to Liverpool seven-ninths had cargoes of the same description. It is well known that this material forms a most dangerous cargo, unless it is properly stowed, and that no vessel will stand, without injury, the working and straining it occasions under such circumstances. By the evidence of the master of the 'Annie Jane,' who has been many years employed in the Baltic trade carrying cargoes of iron, it will be seen that he is strongly of opinion that 'vessels which carry these cargoes should not be allowed to embark passengers, as the space required for them does not admit of the iron, when carried in large quantities, being stowed sufficiently high to render the ship easy at sea; and in the event of springing a leak, there is great danger of the lives of all on board.' But without attaching to this opinion more importance than it may seem to deserve, I am disposed to insist on a more rigid supervision of the stowage of the ship. In the Stockholm trade, where deals are plentiful, the iron is raised and kept out of the extremities of the ship and away from the side, by planks and by balking the ship off, but in Liverpool deals are not so plentiful, and a mixed cargo prevents this being done; besides which, it appears that, with the present system, no specific plan of stowage can be followed, as the goods do not come down to appointment, and the ship being advertised to sail on a particular day, whatever cargo is ready must be shipped. The masters have frequently remonstrated against this practice, and also against vessels being brought too deep in the water with these heavy cargoes. I am aware that the vessels which embark passengers at Liverpool are so numerous that it is impossible for the present staff of Emigration Officers to exercise a satisfactory supervision in this particular; and, in consequence, I would strongly urge upon the attention of the Emigration Commissioners the propriety of appointing a public Stevedore, whose duty it should be exclusively to superintend the stowage of the cargoes of all vessels engaged to carry passengers, and to render to the officer in charge of the port a rough statement of the manner in which each vessel's cargo is stowed; and when it appears to him that there is improper stowage, he should immediately represent it to his superior officers.

"The vessel does appear to have been in a disgraceful condition after she cleared the land, from the temporary nature of the water-closets; but this was increased by the reluctance of the passengers themselves to go upon deck, that their berths might be cleaned, which was even so great that the surgeon was occasionally under the necessity of fumigating the apartments to make them get up. To go further into this question would only be to open out the inconveniences and miseries of emigrant ships. It may be impossible to remedy them all, but I shall offer in advance a few remarks which the present inquiry has suggested, as to what I conceive might and ought to be done to render these vessels more appropriate to the occasion.

"The complaint of the very temporary and slight nature of the fittings does appear to have been just; and from the evidence of the master

it would seem that this is not an uncommon occurrence in vessels of this description, and that as soon as the vessel gets to sea the partitions come down with the working of the vessel. This should be remedied, and the water-closets especially should be more substantially built, particularly those appropriated to the females; which indeed ought not to be in an exposed part of the vessel. In the 'Annie Jane,' the master states in his evidence that it was quite pitiable to see the women endeavouring to reach these places, getting drenched with the sea, and to prevent exposure to the crew after they were thus washed away, resorting to the lower deck as an alternative, by which the ship was in a very filthy condition.

"I am fully aware of the difficult nature of the duty the Emigration Officer has to perform; the responsibility of detaining a ship, under such circumstances, when ready for sea, by refusing a clearance for the inefficient performance of particulars, is very great; still, this responsibility should be incurred and fully authorized. I would suggest, that whenever the Clearing Officer has any good reason to suspect the stability of the fittings, or the stowage of the cargo, or even the efficiency of the crew, either from their ignorance of the language or from any other cause, he be directed to refuse a clearing certificate, and until this is done we cannot expect any diminution of the numerous complaints and more serious casualties which have of late befallen vessels employed in the service such as that in which the 'Annie Jane' was engaged."

In the appendix to this dismally interesting *Report* is the following tabular statement, which, taken in connexion with the remarks of Captain Beechey on the dangers of a cargo of iron in passenger ships, strengthens the obvious necessity of a due revision of the present regulations affecting the loading of such ships—

"Names of Vessels which have put into the Port of Liverpool with Emigrants on Board, whether English or Foreigners, between the 30th of September, 1852, and 30th September, 1853, with the Cause of their putting into Port, and the Nature of the Cargo."

Name.	Cause of Return.	Cargo.
Clara Holmes	Loss of spars	Coals, iron, salt, &c.
Brewer	Leaky	Iron, salt, soda, ash, &c.
Ebba Brahe	Leaky	Salt.
City of Glasgow	Collision	Bale goods.
Shannon	Leaky	Iron, coals, and bale goods.
Daniel Webster	Leaky and loss of spars having been in collision	Iron, coals, and bale goods.
Annie Jane	Loss of topmasts	Iron, tea, soap, and bale goods.
Martaban	Leaky	Iron and British bale goods.
Isaac Wright	Leaky, having struck on a rock off Cape Clear	Iron, bale goods, earthenware, &c.

7th January, 1854.

RICHARD POTBURY, Inspector of the River."

The temptation is great, to quote from the accounts of their sufferings and privations, given by several of the surviving passengers, evidently very intelligent witnesses. But we are anxious to avoid the appearance of unfairness, or one sidedness; and as the counter statements of those interested to refute the allegations of the passengers would tend to swell these pages beyond all limit, consistent with a proper consideration of the remaining topics we have to deal with, we shall avoid all party statements whatever, and only insert, from all the evidence given, the admissions of the master of the ship of the dangerous character of his cargo, his own objections to it, and his recommendations of a change in this respect, and in another of a not less important, though of quite a different, character, as given in the evidence of William Mason, Master of the "Annie Jane:"—

"1665." Of what did the cargo consist?—Chiefly of iron, copper, machinery, and ropes.

1666. How many tons did she take in?—About 1050 tons.

1667. Where was the iron stowed?—On the floor there was dunnage the whole length of the ship fourteen inches thick. Bar iron was on the dunnage, laid open to raise it high up. On the bar iron was railway iron from foremast to mainmast. On railway iron was machinery and oakum to stow it. In the centre of main hatch was a boiler and several anchors and chains; and these, with ropes, reached the deck. There were 400 tons of iron, rope, and soap, with some heavy machinery stowed in the 'tween decks, between the foremast and mainmast, full to the deck. Aft the mainmast the space was appropriated to passengers, and in the after hold there was about twenty-five tons of carriage springs, and fifty tons of Canada plates, and a quantity of pig iron, perhaps fifty tons; then two tiers of water casks, and the passengers' provisions.

1668. What was before the foremast?—Four chain cables, under the coals, with the water casks.

1669. What was the draft of water?—Twenty and a half feet aft, and nineteen feet two inches forward, the first time; and nineteen feet three inches fore and aft the second time.

1670. Have you ever been in a vessel before that carried iron?—Many times, in far greater quantities, but vessels of less tonnage.

1671. Have you any rules for stowage of iron?—Yes; pigeon-court it to raise it as much as possible, to keep the ship easy.

1672. Did you see that this was done in the case of the 'Annie Jane'?—Yes.

1673. What control have you over the stevedore?—If he does not stow it to our satisfaction, we make him alter it at his own expense.

1675. Relate what took place from when you first left Liverpool?—I left Liverpool on the 24th of August. I passed the Rachlin

Island on the next day, at twelve o'clock; and on the 26th, about noon, being squally at the time, the three topmasts and mizenmast head went over the side, the wind N.E. I cleared away the wreck, and bore to the South Channel, and arrived at Liverpool on the 31st, in the evening, after being seven days out. The ship was refitted, and I shifted about 100 tons of the Canada plates and pig iron to the 'tween decks from the after hold, and put light freight in its place, from the 'tween decks, to ease the ship.

1703. You say that you have commanded ships, before the present instance, which carried iron; if so what was your practice in stowing it?—In the Stockholm trade, where my experience has chiefly been, the practice is to floor the ship with deals to the height of the keelson, and then to commence to lay the iron open diagonally, first one way and then the other, carrying about eighteen inches width of deals along the wings on both sides of the ship up to the deck, and stowing the iron up against it, and to balk the ship in the 'tween decks, about twenty feet on each end, and then carrying the iron up to the upper deck. I have always found the ships to be very easy by doing so.

1704. Was this done in the case of the 'Annie Jane'?—No; it is not the practice at Liverpool, and it would be impossible with a mixed cargo to do so.

1705. Do you consider an iron cargo to be a safe one to carry with passengers?—Not when the iron is in large quantities, as it makes the ship labour, and cannot be carried high on account of the space being required for the passengers, and there is great danger to the lives of all on board in case of the ship's springing a leak. Besides which, without deals in the wings of the hold, the iron cannot be carried sufficiently high to make her easy.

1706. In taking an iron cargo at Liverpool, can you arrange the stowage of it according to what you conceive would be essential to make the ship easy at sea?—It sometimes happens that the cargo which I engage to have first does not come down to appointment, and I am obliged to take other goods that are ready. The ship is advertised to sail on a given day and she must go. The brokers insist upon your taking what there is, and I have sometimes had occasion to remonstrate against the ship being overloaded, and have threatened to leave if it was not remedied. The 'Admittance,' was obliged to put back to Londonderry, leaky, while I was on my outward passage, to discharge some of her iron, being too deeply laden.

1707. Have you not some control over the stowage, so as to urge upon the broker what you conceive to be right and beneficial to the ship?—I must do the best I can with the cargo as it comes down. I am told that the ship must go on such a day, and if I do not do the best I can to get the cargo in by that time, *I may perhaps be thrown out of employment in consequence.*

1708. Do you not think that such a practice should be remedied?—I do; and I believe it to be the opinion of all captains that I am acquainted with, especially in passenger ships.

1709. What would you suggest as a remedy?—I would suggest that an officer be licensed to superintend the stowage of such ships,

so as to regulate the disposal of iron and all heavy goods, and more especially in the case of passenger ships.

1710. Are not the fittings of ships which take passengers generally of a very temporary kind?—Yes; and they frequently come down with the rolling of the ship after being a few days at sea, and I would recommend the adoption of the plan carried out in American ships, of having iron bedsteads suspended from the beams, both for ventilation, and cleanliness, and security. The water-closets also should be of a more permanent character, and those for the women built solid, either upon the lower or upper deck. It is quite distressing to see the women at sea endeavouring to make use of the water-closets usually provided, at times getting drenched with the sea, rather than be exposed to the crew, and frequently making use of the lower deck as an alternative.

1711. Have you anything further to say?—Nothing.

(Mr. Mason here handed in several translations of documents signed by different parties, passengers by the ‘Annie Jane,’ speaking of his conduct throughout as praiseworthy, and also one from Messrs. Holderness and Chilton, the owners of the late ‘Annie Jane,’ giving him a good character for eleven years.)

The above evidence having been read over to me, I declare the same to be true, to the best of my belief.

Witness, THOS. GRAY,

Wm. MASON.

This 15th December, 1853.”

We have thus the strongest testimony borne to the inefficiency of existing regulations to secure, not merely the comfort, but the commonest safety to life in a passenger vessel whose owners do not voluntarily consider these points, and avoid what may interfere with them. The Emigration-Commissioners, in the 24th and 25th pages of their *Memorandum of Instructions* to their various officers in the outports, relative to the so much praised “Passengers’ Act” of 1852, make the following remarks:—

“Besides articles enumerated, there is a general prohibition against taking as cargo or ballast any article, the nature or *quantity* of which may endanger health or lives, or the safety of the ship. It is thus questions *frequently* arise on salted hides, coal, *iron in an unusual quantity*, &c. With regard to iron, officers are instructed not to allow such a quantity (taken ordinarily at two thirds of the registered tonnage) as would be likely, from its weight, to strain, or endanger the ship; they are further directed to watch its stowage, so as to see it properly distributed fore and aft, and raised by chequering, or otherwise.”

Now, in the first place, it will be seen that the “Annie

Jane" was loaded with iron, in the proportion to her registered tonnage (as given by Captain Beechey in his *Report* already quoted,) of more than *five-sixths* instead of *two-thirds*. Next we refer the readers to questions and answers at numbers 1703 and 1704, in the extracts from the Master's evidence just quoted, where they will see that no attempt is made, or (owing to the mixed nature of the Liverpool cargoes) *can* be made to alleviate the evils of an iron cargo, in the manner practised in Swedish ships. But questions 1705, 1706, and 1707, are still more significant. By them it plainly appears, that notwithstanding all the elaborate and boasted machinery of Commissioners, Inspecting Officers, and minor agents of Emigration-superintendence, and notwithstanding even the remonstrances of the sailing masters themselves—made at the imminent peril of losing their situations if they be too particular—the ship-brokers are the *real* controlling parties; and upon their cupidity, or unexpected disinterestedness, it altogether depends what shall be the condition of the ship about to encounter a long and stormy passage, with an enormous crowd of helpless human beings packed on board!

The other important particular, to be here commented upon, is that mentioned in the answer to question 1710. Should not the practical recommendations of the experienced merchant captain therein given be insisted upon? Above all, should not the unhappy females cooped up in these ships be considered, and saved from the distresses and horrors here alluded to. There is a very large amount of evidence on this point, all to the same effect. The Emigration-Commissioners have been so far moved by the considerations it involves, that in the ships directly under their own control, they have always insisted on having water-closets, *between decks*, for the use of females and children; and there cannot be a question that what they enforce in their ships by a regulation, ought to be made compulsory by actual statutory enactment in all vessels carrying passengers.

Who can wonder, who will pursue to their legitimate conclusions, the startling thoughts which the words of the Master of the "Annie Jane," in his answer to question 1710, must suggest, that fever and cholera should be rife among the unhappy inmates of these ships! Can there be a doubt that the fearful loss of life by disease, announced in the newspapers as having occurred aboard of seven or eight vessels that sailed,

with the bulk of the autumn-emigration from Ireland, in September and October last, was greatly and mainly occasioned by the evils to which testimony is borne in the quotation to which we have referred. In one ship alone, it is said that nearly, if not quite, one hundred passengers perished, out of some 700, or upwards, who were crowded on board! We happen not to have by us, at the moment, the full particulars of this case, or of some others occurring at the same time, whose story was nearly as bad. But the following will be found quite enough to establish the urgent necessity for a close and searching enquiry by Parliament, and for such amendment of the existing "Passengers' Act," as shall make it really, what it evidently is *not*, a *protection* to life.

"The ship *Marathon* left Liverpool, on the 22nd of September, with 522 passengers, mostly Irish. She arrived at New York after a voyage of fifty-nine days, in which she lost sixty-four persons by cholera. The disease broke out on the 10th of October. The *New York Tribune* states that the *Marathon* arrived in port almost a wreck; for a number of weeks men had to be kept at the pumps both night and day to prevent the loss of the ship. The main-top-gallant masts were broken off, and the captain reports having lost several suits of sails. When he arrived in port he had scarce a stitch of canvass to spread. The ship was heavily laden with iron, and rolled very much, causing great leakage. The passengers were in a state of the most wretched poverty and filth. They were lodged on two decks, one above the other, and the atmosphere was festerously rotten, and almost hot enough to raise a blister. The decks were covered with reeking filth, to the depth of inches. 'They hadn't time to slick up before the health officer came on board.'

The passengers' provisions were exhausted three weeks before the ship came into port, and the wretched beings were reduced to the greatest want. Had the ship been delayed for a few days longer the people must have starved.

When mustered before the health officer, they presented a most fearfully emaciated appearance. The foul air and wretched food had almost completed that which the cholera had spared. They appeared to be famishing, and were eating half baked oatmeal cake and sea biscuit with ravenous avidity. The hospitals for the sick were situated at the bows of the ship, one upon each deck. Altogether they were capable of accommodating only eight persons. We have been upon many emigrant ships, but never recollect seeing any in so wretched a state as this before. But we were credibly informed that this vessel was sweet compared with some which bring cargoes of immigrants to this port. The wonder is that disease and want have left so many to tell the tale of their wretchedness."

The foregoing is from an American Newspaper, and illus-

trates so clearly, in its simple narration, the evils on which we have been dwelling, that we should but weaken its effect by remarks of ours. We therefore pass from it, with only this single observation, that the Act provides (Section 32) that ships making the North American voyage, with passengers, shall have 70 days provision on board; whereas the "*Marathon*" appears to have run short of provisions *three weeks before she came into port*; that is to say, in 38 days, and the passage occupied 59; and it is said that had she been kept out only a few days more, all hands would have been starved!

The case of the "*Tayleure*," lost on Lambay Island, in January last, has made the vividest impression on the Irish public, from the wreck occurring on our own shores, and almost at our doors. She had been not quite three days at sea when lost; and the evils noticed in the other cases we have stated had not time to develop themselves, if they existed. The defects of the law brought out by her loss are, the want of power to compel owners, or masters, of vessels to take proper measures for ensuring the fidelity of their compasses, and for providing nautical instruments indispensable to safe navigation. Also, and *urgently*, the want of a positive enactment to compel the employment of a sufficient number of seamen, and to provide that the vessels shall be fit for sea before leaving port.

The "*Tayleure*," with passengers for Australia, and a cargo of iron, left the Mersey without the usual precaution—generally and rightly considered indispensable for every ship, but most especially for one laden with iron,—of having her compasses tested, in order to ascertain if they were correct, or what might be their error. This is done by a process called "*swinging the ship*"—about which it is only necessary here to explain, that it is a comparison of the action of the compasses on board, with that of a compass in a fixed position on shore. The differences between the results are noted in what is called a "*table of errors*"; and this "*table*," or tabular statement, is copied and given to the Master, to be allowed for by him in his calculations at sea of the courses steered by compass. This necessary operation was altogether omitted after the disturbing cargo of iron was put on board! As a necessary consequence the "*table of errors*" was not supplied; and as a result of paramount importance, the Master was not aware that he could not depend on his compasses, and attributes his blundering up against the Irish shores, directly to their unfaithfulness!

The owner has been exonerated of all responsibility; he having given *carte blanche* to the Master. The latter, therefore, is the party to blame for the deficiencies cited, though not the only party, as we shall presently have to notice. And his case is made worse by his subsequent conduct. In the narrow seas he had to traverse, ere getting clear of English and Irish land, four hours is the ordinary time that a prudent seaman will keep his vessel sailing in one transverse direction; or eight hours at the utmost, where he is *certain* of being still in the enlarged portion of the Channel which is called the Irish sea. Yet the Master of the "Tayleure" kept his vessel on one tack, or "board," across Channel, for *fourteen hours*, although he did not know if he could depend, (which it turned out he could *not*) upon his compasses for the true direction of his course; and although he neglected the all-important expedient of "*sounding*"—that is, of endeavouring to ascertain, (according to sea-practice in cases where land is not seen though known not to be distant, and where the ship's position is, consequently, a matter of anxiety and doubt) whereabouts he was, by the comparative depths of the waters he was traversing, and the nature of the bottom below, as evidenced by the sand, or shells, or both, that are brought up by the grease, rubbed for that purpose on the lower end of the "lead," or plummet, used for sounding.

We have been much embarrassed in this part of our subject by our endeavour at once to avoid as much as possible nautical technicalities, and to explain, in popular language, all those we could not avoid. We need only add one more. There are two modes of turning a ship when under sail—to be perhaps in the simplest way, and certainly in the easiest, illustrated by comparing the different manœuvres to the action of a man, who when about to return on his steps, or walk the opposite way to that in which he has been moving, either turns his face, or his back in making the evolution. The one manœuvre is called "tacking," and is sometimes rendered impossible even for the best trimmed ship, owing to the extreme force of the sea and wind. The other, which is less advantageous as much ground is lost in performing it, is almost always possible; and is called "wearing." The "Tayleure" failed several times in tacking, but until the last and fatal moment succeeded in wearing. She took, however, nearly three quarters of an hour to do so, and lost ground each of the

three times that she did so, to the extent of upwards of four miles. This, alone, was a most dangerous thing in itself; and the Captain of the "Tayleure" ought, on *that account*, have returned, while it was yet in his power, to Liverpool, to report the dangerous unhandiness of his ship. That he ought to have done so is decisively proved from the fact, that it was her final failure to manœuvre, at the critical moment, when the land was suddenly discovered, which completed her destruction.

Nearly 400 passengers perished on this awful occasion. The wretched survivors report the facts we have detailed, and which are indeed generally admitted by the master himself,—as well as the further fact, that the crew seemed unequal to their duties, from the smallness of their number.

The owner here was not culpable, we repeat, because he was ready to do anything the Captain required. The latter was grievously to blame. But is not the conduct of the Emigration Superintendant at Liverpool to be deemed worthy of fully equal censure, when he "gave clearance," and thereby permitted an iron ship to go to sea, with a cargo of iron, without the ordinary, and most necessary precautions, to ensure the faithfulness of the compasses! And is not the system gravely deficient, under which such a *laches* could take place; and under which there is no provision for duly coercing and punishing a sailing master who should show himself so reckless as the one in question?

The Emigration Commissioners, as already noted, require in the ships directly under their own management, at least four seamen to be entered on board for every 100 tons of the vessel's register. This is exclusive of the master, the first mate, and in some cases of the junior mates—the cooks, stewards, and boys. This they absolutely insist upon, yet the "Tayleure," going as long a voyage as any of the ships alluded to, had much less, and was permitted to start, without an objection.

"She had on board" (writes Captain Walker, in his *Report* to the Board of Trade upon her loss,) "at the time of sailing, 2,516 tons—the register tonnage being about 2000.—She had accommodation for 472 passengers, and it will be seen, by the evidence of the carpenter, that she had heavy masts and yards to manage, whilst she would have, supposing all on duty, only twenty-one persons in a watch."—or forty-two altogether, counting officers, seamen and boys. "When it is remembered," he continues, "that this ship had to go a long voyage, to pass

through the tropics, and to encounter bad weather in high latitude where, in all probability, some of the crew would be on the sick list, I think that three men to the hundred tons, as now calculated, are insufficient."

Three men to the hundred tons would have made sixty seamen on board. Yet the unfortunate "*Tayleure*" was allowed to go to sea with only 42, including the boys: so that in fact she had not two seamen to the 100 tons!

The rule ought certainly to be made stringent, and of universal application, requiring the larger number of seamen,—i.e., 4 to the 100 tons: no very extraordinary number in itself when the size of Emigrant Ships, and the voyages they have to make, are taken into account. There has been a faint attempt to found an argument for exempting the American voyages from such a regulation, on the ground that the Emigration Commissioners have hitherto only required it for their Australian Ships. But the North Atlantic is subject to constant storms during more than one half of the year; and even in summer is frequently visited by a succession of the wildest gales: and in addition to the advisability that this goes to establish of an extension of the rule in question, there has appeared, even while we are writing, a positive declaration to that effect on the part of the Emigration Commissioners, who have proclaimed that, with the exception of the vessels actually "*on the berth*" at the moment—i.e. in the docks or at the quays actually receiving Emigrants, henceforth every Passenger Ship, no matter where bound, shall be required to enter 4 seamen to the 100 tons.

Much of the illness, or predisposition to disease, which has broken out on the ocean-passage, has been, by various competent parties, attributed in the first instance to the exposure and severe consequent sufferings of the poor Irish emigrants who are brought over by Steamers to Liverpool, there to embark for America, or Australia. These poor creatures are placed upon deck without other covering, save, in a few cases, a scant supply of "*tarpaulins*"—that is, painted or tarred canvass. The chance humanity of the officers of the ship, or the engineers, sometimes procures for a few of these sufferers the shelter of the little cribs called deck-cabins, or the unoccupied part of the platform in the overheated engine room below. But at best these resources are available to not one quarter of the number on board, and

the others have to brave the inclemency of the season and the weather, without any other protection save their ragged clothing.

We are relieved from the necessity of quoting mere newspaper statements on this subject, by the publication, at this moment, of the first brief *Report* of evidence given in March last, before the Select Committee of Enquiry into "Emigrant Ships" at present sitting. We find therein the following which we take from other evidence given by Mr. Sylvester Redmond of Liverpool.

Having stated that he had made several cross channel passages in which he had witnessed great sufferings on the part of the wretched deck passengers, he was asked

"1525. What did you see?—I saw the passengers exposed on the deck without any covering belonging to the ship, and the covering they had of their own was very scanty.

1526. Are you not aware that it is the practice on board some of those steamers to bring people down into the engine-room or the deck-houses, to give them shelter?—On additional payment that is the practice. It is only those who can pay who are allowed to go there.

1527. Do they supply tarpaulins to cover them?—No.

1528. Did you see this at night, in bad weather?—Frequently.

1529. You came on deck for the purpose of seeing them?—I went as a deck passenger for that purpose alone.

1530. How many persons have you seen exposed in that way upon deck at a time?—I have seen from 100 to 300 passengers.

1531. But were the deck passengers, who were emigrants, treated differently to the other deck passengers?—There was no difference.

1532. Then your complaint is that deck passengers are brought over from Dublin to Liverpool in an inefficient manner?—They are, decidedly.

1535. On board of these steamers carrying a large number of passengers, were cattle carried?—I have never travelled from Dublin to Liverpool, from the Quay or Custom House, but they always carried a large number of cattle.

1536. That is to say you have seen cattle on board?—Always; these are cattle boats.

1537. It is your opinion that the sufferings arise from carrying more on board of these vessels than they are authorised to do by the Act?—The sufferings of course are greater amongst a crowd of people than they would be amongst a smaller number; they are generally crowded round the funnel of the steamer, or huddled together in a most disgraceful manner; and as they have not been used to sea passages, they get sick, and perfectly helpless, and covered with the dirt and filth of each other. I have seen the sea washing over the deck of a steamer that I came over in one night, completely drenching the unfortunate people, so much so, that several of them got perfectly senseless. There were 250 deck passengers on board,

and they were in a most dreadful state ; it was an extremely stormy night, and the vessel heaved about in a very awkward manner ; the sea washed over her tremendously, and it was only by great exertions that some of these people were not carried over board. I could not get further than the head of the stairs, but very early in the morning, when it became light, I went up and saw 50 or 60 of these people, including some four or five children, perfectly stiff and cold. The captain was a very humane man, and although it was blowing a stiff gale of wind, I suggested to him to have these people taken into the cabin, and he did so, bringing the worst in first ; they were all perfectly wet, and whatever clothes they had on were obliged to be taken off. There was a very fine boy, apparently dead, but, by a great deal of exertion, and rubbing him in hot water, and laying him before the fire, he was revived. A very interesting looking young woman, about 20 years of age, was so bad from the effects of cold and the wetting, that she remained in a state of insensibility from between about five o'clock in the morning, until we got into Liverpool about seven o'clock in the evening ; the captain brought the people down in the cabin, caused a great fire to be made, and hot water to be got, and did every thing that humanity and kindness could do to revive them again.

1538. What was his name ?—His name is Captain James Collis, of the 'Times,' but of the 'St. Katherine' at that time ; this young woman remained in a state of total insensibility, although she was alive when we came to Liverpool. I, myself, did not think she would recover ; she was put on shore, a medical person was sent for, and I subsequently learned that she did revive, but was very bad for several days. There were several old men and women ; indeed all the passengers, with very few exceptions, who were strong young men, were in such a state, as that, if they had remained on deck, many would have died."

So convinced do the Commissioners seem of the serious nature and evil consequences of the hardships thus entailed upon intending emigrants, that in all cases where their control is paramount, they require that a cover shall be provided on board Steamers bringing such persons to *their* vessels. This is notably the case as regards the very large number who emigrate from Germany ; and who, in the Steamers that bear them across the German Ocean to the shores of England, are either lodged below, under cover of the upper deck, or have a kind of housing built over the latter, to give them, literally, a roof over their heads.

Similar provisions have been carefully made for the comfort of the hardy soldiers at present on their passage to the seat of war. And wherever, or whenever, it has happened that convicts were conveyed in Steamers, they were also secured against exposure to the weather. Is it not then monstrous that the same protection,

so plainly necessary in the commonest interest of humanity, should not exist for helpless and enfeebled men, women and children who are crossing the stormy channel of St George, at all seasons, in their headlong and desperate flight from destitution and starvation in Ireland.

This latter class of evils will, in sometime hence, receive a partial mitigation, by the arrangement which the Government have, in answer to the very praiseworthy and well timed motion of Mr. Butt, M. P. for Youghal, pledged themselves to carry out, viz: the establishment of an Emigration-depôt at Cork, for emigrants to Australia by the Commissioners' special ships. But we trust that the Committee now sitting will press upon the Government the necessity, not only of causing such depôts to be erected in Irish ports for all *American*, as well as all *Australian* Emigration; but also, pending the completion of them, the justice of compelling owners of Channel Steamers to provide full cover and shelter for the creatures now so cruelly exposed upon their decks.

We are warned to draw to a conclusion, at least for the present, by the length to which this paper has unavoidably run. Otherwise we should have, among many points yet untouched, to dilate upon the knavery and plunder to which the present system leaves the poor emigrant in a great measure helplessly exposed, during the interval between his landing from the Irish steamer on the quays of Liverpool, and his departure thence in the emigrant vessel. There is a fearful chapter to be written on the want of due preventive measures for the separation of the sexes, and preventing the crew from mixing with the passengers. The cooking arrangements too, though much ameliorated by the provisions of the last Passenger's Act, now, as we have stated, some 18 months in operation, require revision and much amendment, to prevent for the future the still frequent recurrence of cases of great privation, and even occasionally of *starvation*, among the old and the weak, the infirm, the females and the children. And it is most absolutely, indispensably, and immediately necessary that the provisions of the earlier acts, requiring the engagement of a surgeon where the number of passengers exceeded 50, should be revived, at least in times of cholera, or other epidemics; and that a stricter test, and more satisfactory examination should be enacted, to ensure that the medical men shall be worthy of, and fitted for, their trust, which unfortunately they have frequently proved not to be.

It is only justice to the Master of the "Tayleure," of whose conduct we have written with censure, to state, that a document has just been published, (ordered by the House of Commons on the 7th of April,) giving the Report of the Liverpool Marine Board *in acquittal* of that individual. The Board of Trade had called upon this Local Board, as part of the duties for which it was constituted, to undertake an investigation into his case, and to certify if he were worthy of a renewed certificate of fitness for the position of Master.

The following are the summing up, and concluding paragraphs of their *Report* :—

"From the whole of these proceedings this Board have been fully impressed with the conviction, that Captain Noble, notwithstanding the serious disaster with which his name is connected, possesses skill and ability both as a navigator and a seaman; and they have therefore no hesitation in reporting to my Lords their unanimous opinion—

"That John Noble is neither, from incompetency nor from any other cause, either specified in the Act, or not therein specified, unfit to discharge the duties of a Master; and this Board therefore recommend to my Lords the renewal of his certificate of competency."*

Unfortunately, the tenor of the foregoing smacks not a little of those decisions of Railway Companies, which so invariably declare in every case of accident upon their lines, that their officers are not only entirely free from blame, but are really deserving of laudation. Again, the Board seems to be composed of *landsmen*: very good judges of bills of lading and invoices, but not quite so familiar with the working of a heavy ship through a narrow and dangerous Channel in bad and stormy weather.

It is true they had "*the assistance*" of the "Principal Shipping Master" of the port, the Local "Examiner in Navigation," and the Local "Examiner in Seamanship." But it was from those very officers that Captain Noble had obtained his former certificate; and it is not unnatural to suppose that they might not be altogether unbiassed in favor of his qualifications.

The case made out for him is very plausible; and that he did, in former periods of his life, give proof of considerable skill in seamanship and navigation is incontestable. But the fact of want of due precaution, and of the ordinary prudence

* See Parliamentary Paper, No. 167 of 1854, p. 13.

of a seaman with a heavy responsibility, does not appear disturbed. On the contrary it is once more acknowledged, that he had reason to distrust his compasses, and found his ship what is termed "unhandy" to a most dangerous degree:—and yet, in the narrow seas and thick weather he held on and on, without thought either of returning to port to make known, and get the willing owner, Mr. Moore, to rectify her defects, or of ensuring the avoidance of the land by the easy expedient of not running her more than four hours upon one course.

Incaution and imprudence nullify the advantages of skill, and hard as the measure would undoubtedly be to the individual, the example of so severe a punishment as deprivation of his certificate could not but have the most beneficial effects upon other ship masters in like position. There cannot be too much caution where human life is so fearfully exposed.

What little remains to us of space can best be employed in the consideration, very brief though it must be, of the deeply interesting problem of the further extent of the outgoing of our people. Miserably short-sighted has that policy always appeared to us, that hailed with gladness the diminution of population in a country so thinly peopled, even when at her climax twelve years ago, as Ireland. It is the narrowest, the paltriest, the most miserable view of state craft, that is based upon a hope of diminishing a people to the means of subsistence, instead of the nobler, and really statesmanlike endeavour, to develop and increase a country's resources up to the point required by the numbers on her soil. It has been in Ireland a cruel and dishonest hope: inasmuch as none can be so wilfully blind as not to recognise, that the distress in Ireland has, in fact, almost always been *fictitious*, and that in a country producing cattle, sheep, swine, and agricultural products fit for human food in such abundance, there were means far more than ample to feed a population much beyond the highest figure even yet ascertained,—that those means were diverted away by the results of a mistaken and exhausting system of government.

The suddenness of the deficiency caused by the "potato rot" might be pleaded in some palliation of this wretched speculation, if after the first shock had passed and men had time to look about them and draw breath—or if, *even now*, when such abundant time and leisure has been given, not only for devising, but for carrying out real measures of improvement—we saw the policy-

mongers who influence our legislation, adopting large, and wise, and efficient remedies, such as would ensure to the remnant of our people that their country should no longer be a cottier encampment, but a secure home of profitable industry; and that *the export of articles of food should be reduced to the surplus remaining after the people had been fed!*

There *are* such measures and such remedies if our rulers would look for them—would adopt them. It is not our province *here* to point out what might be done, but the consideration may well employ another paper.

At present it is impossible to calculate the extent to which emigration may increase. The remittances from America, to bring out friends, swell in annual amount according as the numbers annually increase. And the unchecked money drains from Ireland to England, the unaltered and iniquitous land laws, the inconsiderateness, the recklessness, the thousand evils of the system under which Ireland is mis-governed, are all rife and active as ever, in nipping in the bud every germ of real improvement.

In the war that has already begun, and that ere long may embrace all Europe in its devastating spread, England will seriously feel the dearth of the *men* of Ireland. Her fleets and armies will soon begin to need the formerly unfailing supply of stalwart arms and stout hearts that our land was wont to give in emergencies. And if invasion come—(and who shall say how long the unexpected Franco-Anglican league shall endure?)—what opposition can be made to the invaders upon the shores and plains of Ireland, even now devastated and rendered desolate by the ultimate effects of old and continued misrule—that real and great original cause of the despairing and wasting emigration by which she has already been robbed of so much of her best blood and strength!

NOTE ON ART. IV.

We have stated, in the paper entitled "French Life in the Regency," in our present Number, that Dumas was assisted in writing and constructing the novel, *Le Chavalier D'Harmental*, by Auguste Maquet. From recently received information it appears that, in the composition of his dramas, he has, with unsparing hand, availed himself of the labors of Goethe, Schiller, Scott, Victor Hugo, Lope de Vega, and others: in some places adopting entire scenes with the greatest nonchalance; so that in reality, a comparatively small part of the plays published under his name belong to him. If he made the composition of dramas an easy task, by a wholesale appropriation of the thoughts and language of others, he avoided even this slight trouble in many of the novels published under his name, by getting other people to write them. We will only mention a few of the most celebrated of these. *George the Planter* was written by M. Mallefille; *The Three Musketeers* (the chief incidents of which, such as the amours of *Athos*, *Aramis*, and *Porthos*, and the duel with *D'Artagnan*, are taken from *The Memoirs of Charles de Batz de Castlemore, Comte d'Artagnan*) is the work of M. Auguste Maquet. Its sequel, *Twenty Years After*, is by the same author; and it is supposed that *The Viscount of Bragelonne* is indebted for its parentage to the same prolific pen. It is told that, to show that the compositions of his subalterns were never even corrected by M. Dumas, M. Maquet inserted a most ungrammatical paragraph in *The Three Musketeers*, which was printed off unaltered. M. Dumas is perhaps more indebted for his reputation in this country to *The Count of Monte Christo* than any other work. What if he never wrote it at all? Such is the startling fact. The first part of that novel is the composition of M. Pier-Angelo Fiorentino, and the second, of the invaluable M. Maquet. Two of its episodes are borrowed, nearly word for word, from *Memoirs Extracted from the Archives of the Parisian Police*; and a novel called *The Wheel of Fortune* is liberally drawn upon in the narrative of *Morel's* career. It is rumored that the remainder was translated from a German novel.*

* See, also, an interesting paper in "The North American Review," for April, 1854.

THE
IRISH QUARTERLY REVIEW.

No. XV.—SEPTEMBER, 1854.

ART. I.—THE ENDOWED SCHOOLS OF IRELAND.

1. *Report From The Select Committee on Foundation Schools and Education in Ireland.* Ordered by the House of Commons to be Printed, 9th August, 1838.
2. *Suggestions for a Reform of the Royal Schools of Ireland, in a Letter to Colonel Rawdon, M.P.* By Rev. Richard H. Wall, D.D. Dublin : Hodges and Smith. 1851.
3. *The Necessity for an Intermediate System of Education Between the Schools and Colleges in Ireland.* By Rev. James M'Cosh LL.D. Professor of Logic and Metaphysics in Queen's College, Belfast. Belfast : Shepherd. 1854.

Addressing, in 1850, the Dublin Statistical Society, of which he is a Vice-President, our present accomplished Under Secretary, in speaking of the rapid progress of Education in this Country since 1831, made the following remarks:—"The Schools of the National Board alone, established since that time, numbered on their rolls in 1848 no less than 597,459, and they have been steadily pouring out numbers yearly increasing. Infant Education begins their course, the agricultural Schools continue it into practical life, and a normal School at the same time instructs new schoolmasters. Within the last year the Queen's Colleges have been opened to complete and crown the academic scale." The idea which these words convey, has long been prevalent ; all parties seem to have assumed that the National Schools with their different branches on one side, and the Queen's Colleges on the other, formed a complete system of Education. There is, however, a serious chasm in the "academic scale." Schools are wanted to educate the class above those who resort to the National Schools, and to prepare

for the Universities those who desire to complete their education. The want of these intermediate Schools has been long felt. In 1845, Mr. Hamilton, one of the representatives of the University of Dublin, and a member of the Devon Commission, stated in the House of Commons, that "he had made particular enquiries, and had found that in nearly every part of Ireland, there was a great want of good Academical Institutions for the practical instruction of the middling classes." In the same year, Dr. Bagot, the present Dean of Dromore, as quoted by Dr. M'Cosh, ascertained that there were, in Ireland, 98 towns, containing a population exceeding 3000 each; and that of these, 18 had Endowed Schools, "leaving 80 towns of a population exceeding 3000 each, requiring good academies." Again, in 1853, Mr. Kirk M.P. for Newry, on a deputation to Mr. Cardwell, is reported to have assured that gentleman that "nothing would be hailed with more gratitude in Ireland than Schools of a higher order than those which now obtained. There was a chasm between the National Schools and the Queen's Colleges, which required to be filled up."

The very efforts which were made to promote Elementary Education tended still further to decrease the number of intermediate Schools. The National Schools, with their improved methods of teaching, the salaries to the Masters, and the other advantages which they offered, drew off from the classical teacher the merely English pupils who formed a large proportion of his School. The demand for classics only was not sufficient in most cases to support the School, and so, one by one, these humble Seminaries disappeared. The National Schools do not afford any means of supplying classical teaching, and consequently the void which they produced remains unfilled. The injurious effects of this want of preparatory instruction are strongly felt in the Queen's Colleges. Dr. M'Cosh, as a Professor of the Belfast College, declares his conviction "that the grand difficulties with which the Queen's Colleges have had to contend, have proceeded, not from Ecclesiastical opposition, but the utter want of adequate feeders." Sir Robert Kane, at a public meeting for the distribution of prizes in the Cork College, expressed his opinion that "the great and real impediment to the success of the College was the condition of the Secondary Schools."

When such difficulties exist in Belfast and Cork, we cannot expect a more favorable report from Galway. Accordingly we find the President of the Galway College, year after year,

reporting to her Majesty, that those Students who had come with some preparation, usually made very satisfactory progress, but that those who were insufficiently prepared, and their preparation required was very considerable, were unable to avail themselves fully as could be wished of much of the instruction that was given. Even Trinity College with all the advantages of the support of the best Schools in the country, will scarcely maintain the argument that the general state of preparation at entrance leaves nothing to be desired. Indeed a strong opinion against Irish School education appears to exist, if we may judge from the avowed attempts to improve it by the introduction of English Masters. There is no doubt of the good intentions with which this plan was adopted, but it is equally certain that it was based upon an erroneous theory, and recent occurrences have painfully shown that sometimes the remedy has been worse than the disease.—Intermediate Education in Ireland, then, as well for its own sake as for the purpose of giving full efficiency to existing Institutions, requires improvement. But before we can discuss the propriety of providing new funds or framing a new system for the purpose, it is only right to consider the system and the means which at present exist. It is no more than common prudence to enquire whether the old house may not easily be rendered available for our purpose, before we incur the trouble, and expense, and risk of erecting a new one.

The Royal Schools, the most important from their revenues, although not the first in point of time of the Irish Endowed Schools, were established in the years 1627 and 1629 by Letters Patent of King Charles I. In the former year, that Monarch granted certain lands in different places to the Archbishop of Armagh and his successors, for the sole use and behoof of the Master for the time being of the Free School, at the towns of Mount-norris in County Armagh, Mount-joy in County Tyrone, Donegal, Lisgoole in County Fermanagh, and Cavan. Two years afterwards grants were made upon similar trusts for the Schools of Carysfort and Banagher. From some cause which is now unknown, the positions of the earlier Schools were changed, and they were established in the towns of Armagh, Dungannon, Raphoe and Enniskillen. The aggregate endowment of these seven Schools is 13,660 acres, which at present produce a rental of nearly £6000. In consequence of the great abuses which were found to exist under this arrangement, the estates

were, by an Act of Parliament, in 1813, vested in a Board of Commissioners, who, after paying the expenses incident to the estates, and keeping the School-house in repair, pay the Master and his assistants salaries, which are generally regulated by the endowment of the School, and are directed to expend the surplus in the maintenance of Free Scholars, or in the foundation of Exhibitions in Trinity College, Dublin. The Masters, at their discretion, and usually at the same rate as the best private Schools, charge fees for both board and tuition. The admission of Free Pupils appears to be regulated rather by the feelings of the Master than by any external control. If we exclude Carysfort, which has always been an Elementary School, and the two Schools recently established by the Board for the children of their tenantry, the annual number of pupils,* in each of the six principal Schools, on an average of the four years, ending 31 December, 1852, has been $46\frac{1}{2}$ —of these $7\frac{1}{2}$ have been free. "The Royal Schools," we quote from the *Report of the Committee on Foundation Schools*, "were not precluded either by their Charter, or by any Act of Parliament or Bye Law, from receiving all religious denominations. Though the course pursued in the instance of Diocesan Schools, of appointing Masters from the Church of England and generally Clergymen, prevailed also in the case of the Royal Schools, it does not rest on any law. The Lord Lieutenant, as in the case of the Diocesan, has the appointment solely in his own hands, unshackled by any limitation of a religious exclusive character. The assistants also are usually Protestants but chosen from the laity. The Royal Schools have at all times been considered open to all religious persuasions."

The Diocesan Schools, the earliest attempt at intermediate education in Ireland, date from the 12th of Elizabeth. The statute under which they are founded is intituled "An Act for the Erection of Free Schools," and provides that there shall be "a Free School within every Diocese of the realm of Ireland, and that the Schoolmaster shall be an Englishman or of the English birth of Ireland." The School-house for each Diocese was directed to be built in the principal shire town of the Diocese, at the cost and charges of the whole Diocese, and by the "device

* These figures are taken from a Parliamentary Paper, Ordered by the House of Commons, to be Printed, 25th April, 1853—No. 400.

and oversight" of the Ordinaries of the Diocese, or, in case of vacancy, of Vicars General. The Sheriff of the shire, and the Lord Deputy or Governor were to fix the Schoolmaster's salary, of which the Ordinaries of each Diocese were to provide the third part, and the Parsons and other ecclesiastical persons of the Diocese were to provide the remainder. Even in Elizabeth's own time, this Act seems to have been imperfectly carried out. Mr. D'Alton, in his evidence* before the Committee on Foundation Schools, mentions a curious record, whereby Queen Elizabeth, understanding that this Act was "slenderly or not at all executed" in Limerick, empowered the mayor of that city, by mandate, to sequester yearly, and from time to time, so much of the livings, tithes &c., as belonged to the Bishop and Clergy of the Diocese until the Act was complied with.

Various statutes were made during the reign of William III., and his immediate successors, concerning those Schools, but with no satisfactory results. In the year 1813, by the same Act which regulated the Royal Schools, the Diocesan Schools, were placed under the control of the same Board, and permission was given to the Commissioners, with the consent and approbation of the Lord Lieutenant, to erect into one district two or more Dioceses, and to consolidate into one district School, the several Diocesan Schools of their united Dioceses. The Lord Lieutenant, with the advice of the Privy Council, is empowered to fix and apportion among the different Dioceses in a district, the Masters' salaries which are to be paid by the same parties, and in the same proportions, as the original Act of Elizabeth directs. The Act further enables the grand jury of the county in which the School is established to present on the county any sum or sums which they should think proper for purchasing a site, and building or repairing a School-house. Notwithstanding all these attempts to improve them, the Schools have never succeeded. In 1838, the Committee † of Foundation Schools thus describes their condition. "The Lord Lieutenant will not appoint Masters, unless a salary is secured, the salary is refused by the Clergy unless the School is built by the grand jury; the grand jury refuses to build the School, unless the Master stipulates to receive a certain number of Free Scholars: the Master refuses to receive Free Scholars on the compulsion of the grand jury,

* Q. 821.

† P. 48.

and the Commissioners will not, or cannot, enforce the right either on the part of the grand jury or their own." At a still later date, no improvement seems to have been made. In their Report for 1850, the Commissioners of Education observe, "as regards the Diocesan Schools, generally, we regret to be obliged to state that with a few exceptions they have failed to be productive of the benefits originally expected from them. This has arisen partly from the mode of payment of the Masters, alike distasteful to the Clergy, and to the Master, and partly from the dilapidated state of many of the School-houses, for the repair of which no fund beyond a voluntary presentment by a grand jury is provided by law." There are at present 14 Diocesan Schools* in operation. They are situated in the towns of Ballymena, Carlow, Cork, Downpatrick, Elphin, Londonderry, Limerick, Mallow, Monaghan, Mullingar, Naas, Rosscarberry, Tuam, and Wexford. The annual number of pupils in each School, on an average of the four years ending 31st December, 1852, was 24, of whom three were Free. It is stated that they have no landed property, and a very small income in some cases in stock. No religious restriction was ever imposed in these Schools. It has been generally supposed that as they are supported by the contributions of the Clergy of the Established Church, they must be strictly Protestant. The following extract from the Report of the Committee on Foundation Schools† will show the error of this opinion. "There is nothing in the Act of 12 Elizabeth, or in any subsequent modification of that Act, limiting admission to these Schools to Protestants. The Acts of Charles and William affect the Masters of the Schools only. No later enactment refers to the subject, nor has any by-law been passed by either the Diocesan Clergy, grand juries, or the Board of Commissioners, to that effect.*** Nor is this confined to the pupils. There is no law now in force requiring the teacher to be of the established religion; and Mr. Quinn, the former Secretary, declares no religious test is exacted, nor is there any thing which could preclude a Roman Catholic or Presbyterian from being appointed by the Lord Lieutenant to the mastership of any one of these Schools."

Besides these Schools of public foundation, the Commissioners of Education have under their control 23 others, which

* Parliamentary Paper Session 1853, No. 400.

† P. 44.

may be termed private foundations. They are situated at Athlone, Ballyroan, Bandon, Clane, Carrickmacross, Charleville, Clonakilty, Clonmel, Cloyne, Dundalk, Eyre Court, Kilbricken Tenantry, Kilkenny, Kilworth, Kinsale, Lifford, Lismore, Middleton, Navan, Rathvilly, Tullyvin, Waterford, and Youghal. Of these, five, viz. the Kilbricken Tenantry, Kilworth, Lifford, Rathvilly, and Tullyvin Schools, seem to be merely elementary. Of the remaining eighteen, several, such as Eyre Court, are not Classical Schools, but might probably be made such. Excluding Athlone, the Mastership of which was vacant when the return was made, and the five elementary Schools, each of the others, on an average of the four years ending December, 31st, 1852, had about 24 pupils yearly, of whom about six were Free. It would seem that only three of these Schools, Ballyroan, Clonmel, and Middleton, have their estates vested in the Commissioners. In the other cases, the payments are, we believe, made directly to the Masters. We cannot state with accuracy the gross amount of their endowments, but from a table compiled by Mr. D'Alton, their united revenues exceed £6000 a year. This amount is, however, apparently too large. With the exception of Tullyvin, they are open to all religious denominations, and no religious qualification is required in the Masters. The appointments are in the gift of the Trustees, or of Corporations, or of Bishops of the Established Church.

It would appear from the evidence given by Mr. D'Alton before the Committee on Foundation Schools, that several other endowments for Educational purposes are, or ought to be, in existence. The charter granting in 1631, one hundred acres of land for a School at Clogher, has been lately printed in the Parliamentary Paper, which contains the charters of the Royal Schools. But we believe that no such School is in operation. There are also many other minor endowments of little value singly ; but which, if consolidated, might be made most useful. Some further enquiry into this subject would be desirable.

Last of all, and differing from the other Endowed Schools in being under a separate management, are the Grammar Schools of Erasmus Smith. The Committee on Foundation Schools observe, that "it may be a matter of question whether these Schools should be considered private, or public. They are undoubtedly of private foundation, but from the frequent interposition of the legislature, they may in great measure be

regarded as public institutions." They were established under a charter granted in 1669, to carry out the intentions of Erasmus Smith, who settled large estates for Educational purposes. The charter provides for the foundation of Free Grammar Schools at Drogheda, Galway, and Tipperary. A fourth, subject to the same conditions, was subsequently founded at Ennis. It further directs that the children of the tenantry, on the settled estates, without any restriction, as to numbers or residence, should be educated gratuitously, and that the same privilege should be extended to a number of other boys at the discretion of the Governor, provided that the whole number did not exceed twenty, and that they were resident within two miles of the School. For these, all fees are strictly prohibited, but the Master may take from the remainder an entrance fee of two shillings each. As the value of the estates increased, difficulties arose as to the application of the surplus. Various Acts of Parliament were passed, authorizing different forms of expenditure. Several Professorships, to the aggregate value of about £500 a year, were founded in Trinity College, but owing to the depressed condition of the estates, these endowments have been, since 1847, almost wholly withdrawn. Thirty-five exhibitions of the value of about £8 each, and tenable until the exhibitor has attained Master's standing, that is, for a period of seven years from entrance, have also been established in the same Institution.

In reference to these exhibitions, the Provost and Fellows in reply to some inquiries of the Trinity College Commissioners, state that "of Erasmus Smith's exhibitions, only twenty in the last ten years have been given by examination at entrance. The remaining exhibitions, on this foundation, are filled up by the Board from students, who have already been distinguished in their academic career, without reference to the schools at which they were educated." The management of the Schools and the estates is committed by the charter to a Board consisting of thirty-two members. The Archbishops of Armagh and Dublin, the Chief Justices of the Queen's Bench and Common Pleas, the Chief Baron, and the Provost of Trinity College, are *ex officio* members. This Board elects new members as vacancies occur; and makes no report of its proceedings. It is provided that the Masters who are appointed by the Governors, shall be approved by the Bishop of the Diocese "if they shall willingly subscribe the two first canons of the Church of Ireland." No

religious restriction is imposed on the pupils. The Master is directed to lecture every Sunday on Usher's Catechism, but the anxiety to provide for the education of the children of the tenantry, shows that the Schools were designed for the benefit of all religious denominations, since the bulk of the tenantry, on the Southern and Western Estates, must at the date of the charter have been Roman Catholics.

In considering the condition of these Schools, the first point which naturally attracts our attention is the constitution of their governing body. The Commissioners of Education in Ireland, consist of the Primate, the Lord Chancellor, the Lord Chief Justice of the Queen's Bench, the Chief Secretary for Ireland, the Members for the University, the Provost of Trinity College, the Bishop of Tuam, four other Bishops, one from each province, and four other "proper and discreet persons," who are appointed by the Lord Lieutenant. It would not have required extraordinary sagacity to have predicted that such a Board could never work well. The time of the eminent persons who are *ex officio* members is fully occupied by other duties. The Provincial Bishops are necessarily non-resident. The remaining four "proper and discreet persons" serve gratuitously, and in most cases must have other more urgent demands upon their time. Of the present Commissioners appointed by Government, one is a Judge, another a Master in Chancery, and a third the Rector of a parish in Fermanagh. If to these considerations we add the general remissness of Honorary Boards, and the weakened sense of responsibility when it is divided among so many, and such distinguished persons, we may readily suppose that the constitution of the Board is by no means perfect. Experience does not falsify these assumptions. The Committee of Foundation Schools report that "both the constitution, and functions of the Board appear to have produced numerous inconveniences. The attendance formerly stated by the report of the Commissioners themselves to have been extremely irregular, still continues so, and the means taken to ensure punctuality, such as entering the names of members attending each meeting, and keeping accurate minutes of proceedings at all times open to the Lord Lieutenant, have not been found adequate. The causes of this irregularity are obvious: *ex officio* members are in general less regular than others, the pressure of other higher duties preventing them, even if desirous, from attending; the necessity of having one official member to constitute a

quorum ; the absence of all salary, want of special interest, and individual responsibility." To the same effect, though at a later date, Dr. Wall, in the pamphlet, the title of which appears at the head of this paper, observes, "it is well known that for many years the Board might be said to have consisted of a single individual, as no member thought of interfering, so long as he lived, with any arrangement which he proposed, not considering it quite decorous, in those who seldom attended, to do anything contrary to the wish of one who was constant in his attendance."

The nature of the funds which this Board is bound to administer, suggests additional doubts as to its educational efficiency. Its property mainly consists of the landed estates of the Royal, and of certain private Schools. It is at length pretty well understood, that land is not the best kind of endowment ; and that a Board is not the best kind of landlord. No minister ever proposes to purchase an estate for a new Institution. Such an arrangement would be scarcely thought advantageous either for the grantees, or for the estate. On this subject, the Committee on Foundation Schools entertained decided opinions. Their report states that, "much the greater part of the time of the Board is absorbed in the management of the estates, and the improvement of the money interest of each particular School. Though their powers appear to be for this purpose fully adequate, and are exercised with discretion, it does not seem to your Committee, as already stated, to be the most appropriate province of an Education Board. The functions connected with the intellectual management of Schools, are, in consequence under-rated." The events of the last seven or eight years were not calculated to remove these objections. We cannot, therefore, feel much surprise at the following statement, which the Commissioners themselves, in their Report for 1850, made :—"The difficulties which, during the last few years, have presented themselves to all parties, deriving their income from land, have extended to this Board. We beg to report to your Excellency, that a considerable portion of our time and attention has been occupied in endeavouring to meet these difficulties, by making small advances, and moderate reductions in such cases as appeared to be necessary." It certainly seems strange to withdraw from their proper avocations the Heads of the Church and the Law, under the pretext of forming a Com-

mission to watch over the progress of Education, and then to set them down to let con-acre, or to squabble with yearly tenants for an abatement of rent.

Not only is the constitution of the Board defective, and its energy misdirected, but its powers are very much restricted. In the Diocesan, and most of the private Schools, the Board has no control over the funds. The Master of the School receives his salary directly from the Clergy or the Trustees, and there are seldom any surplus funds. But the property of the Royal and other Schools, which is vested in the Board, collectively exceeds the sum now required for payment of all salaries and similar purposes. Each School, however, has its own separate endowment, and the Board has no power to apply the surplus rents of one School to the wants of another. Of this defect in their Act, the Commissioners appear to be fully aware; and it is stated that measures were at one time taken to procure an Act of Parliament for the consolidation and better distribution of the estates. From some unassigned reason, the application was allowed to drop, although, as the Report observes, the grounds on which it was deemed advisable to make it continue unchanged. In 1822, an Act (3 Geo. 4, c. 79) was actually passed, and seems to have been designed to meet this difficulty. It provided that the surplus of one School may be expended in the first instance, in the improvement of other Schools, but difficulties arose on its construction, and it seems never to have answered its purpose. It is, however, valuable as a precedent in favor of the principles to which we shall presently refer. Under the present system, the surplus funds are allocated to support, maintain, and provide for free scholars, and to endow Exhibitions in Trinity College, Dublin, at the discretion of the Commissioners. The latter alternative has been adopted, and a sum exceeding £1000 per annum, is given in Exhibitions, tenable under certain conditions, for five years, varying in amount, from £25 to £50, and bestowed by public examination, upon the best answerers in a prescribed course. Objections to this system arise from every quarter. Four of the Royal Schools, and one Private Foundation, are sufficiently wealthy to have Exhibitions. But as these Exhibitions are strictly appropriated to each School, and as the Candidates from all the Schools are examined together, it sometimes happens that the defeated candidate of one School is better than the successful candidate from another, and thus

the anomaly occurs, that in an open and perfectly fair examination, the worse man obtains the prize. Still more vexatious is it, when one School—as is actually the fact—never fills up its Exhibitions, while there are abundance of men from other Schools, who deserve, but cannot obtain the prize; for it thus unintentionally resembles the dog in the manger, who neither himself used the provisions, nor permitted others to do so.

The discontent from this cause, as far as the Masters are concerned, only affects one or two of the most successful Schools. But the other Royal Schools think that they have a claim to share in the Exhibitions, and probably the Masters of all Endowed Schools would agree in an extension to themselves of these good things. The Masters of the unendowed Schools, however, insist upon a much wider range. In a petition to the House of Commons, which was prepared by some of the most influential of their body, they describe “the consequences of the monopoly of exhibitions, as most oppressive and injurious to Endowed Schools, and equally detrimental to the advancement of Education in Ireland.” We shall quote their statement in support of both these propositions, and the remedy which they suggest.—“A lure was held out to parents to withdraw their children from independent Schools, which had no such reward to offer to diligence and talent, and thus they were deprived of their most gifted pupils, who, being removed to the Royal Schools, contributed by their talents and success to raise *their* reputation, and to depress in a corresponding ratio, the character of the Institutions from which they had been withdrawn. Private enterprise, and energy, were thus greatly discouraged, being overborne by a competition at once ruinous, unequal, and unjust.

“That as regards the cause of Education generally, your Petitioners believe that the monopoly created by the Commissioners has been no less injurious. The competition for the prizes being confined to a very small number of Schools, in none of which the pupils were numerous, has necessarily failed to produce the effects which would undoubtedly have arisen if the emulation of the whole youth of Ireland had been called into existence. It has thus frequently occurred that the vacant Scholarships could not be filled for want of candidates, and in one School in which there are five exhibitions, *not one* has been given from their establishment to the present time.

“Your Petitioners therefore humbly pray your Honorable

House to adopt such measures as may remedy the grievances of which they complain, and they beg leave humbly to suggest that, in accordance with the liberal spirit of the age, the Royal Scholarships may be opened to the youth of Ireland, and connected not only with the University of Dublin, but also with the Queen's University; and that the selection of the University may be left to the option of the successful candidates themselves."

Various other objections also are made. The Queen's Colleges, as the extract which we have just quoted shows, feel that they are deprived of their chance of the best prepared students in the country, and that the attention of some of the principal Schools is steadily turned to Trinity College alone. In 1813, when the Act to regulate the Endowed Schools was passed, Trinity College was the only Irish University. Now, the three Colleges which constitute the Queen's University, may not unreasonably ask admission to at least a chance in the advantages of national endowments.

It must not, however, be thought that this change would injure Trinity College. That establishment is too secure in its great wealth, its time honored name, and its wide spread connections, to feel the actual loss of a few students, much less to dread the possible rivalry of the Queen's Colleges: no such unworthy jealousy on either side should exist. The example of Scotland, which with its population of less than three millions supports five Universities, in each of which although the endowments are small, the Professors are much better paid than in the Queen's Colleges, proves that in Ireland we have room enough for all. A friendly and generous emulation in the advancement of learning, and in the progress of their common country is, we trust, the only form which the competition between the two Universities will ever assume. It is in the present case most improbable that Trinity College would lose a single student. The far higher prizes which she can hold out, would be sure to attract those who had sufficient ability to succeed at the Exhibition Examination: whatever she might gain from the improved condition of the Schools, she would lose nothing. The Queen's Colleges would therefore derive little direct advantage from this change; but they might reasonably hope to share in the larger number of pupils who would be attracted to the Schools, and to find a higher standard of preparation than at present exists.

Others again, and amongst them is the Master of one of the

principal Royal Schools, deprecate the system of instruction to which the Exhibitions have given rise, and wish to substitute something of a more general, if not a more utilitarian character: others insist that those Schools were founded for the special benefit of their several localities, to which alone their revenues should be confined. They wish to give free education to the inhabitants of the district, and not to fritter away the money in Exhibitions which are open to the whole Kingdom.— This last objection, as it brings into question the title of the Estates, deserves some consideration. It is not likely to meet with much sympathy from the public. At a time when the Commissioners of the great English Universities propose, with the general consent, to abolish all restrictions of place and birth and name in the various endowments of those establishments, it would be indeed strange to see the opposite process in operation in Ireland. Fortunately it is unnecessary to discuss the question. It has been long since settled. The inhabitants of Armagh, and the other towns in which the Royal Schools are situated, should recollect that the charter gives the Schools not to them, but to other districts, so that they at least can hardly maintain an exclusive right. A far more important change was made by the Act of George III. This measure, which the late Sir Rober Peel, then Chief Secretary for Ireland, introduced, took away from the Masters the estates which the charters had vested in them, conferred these estates upon the Board as at present constituted, and rendered the Masters dependant for their salaries on the discretion of this Board. It might have been supposed that such a measure would have met a violent opposition, and that vested interests and the rights of property would have found some defenders; yet whether from the little attention which mere Irish questions could at that time command, or from the humble, though important nature of the reform, or from the flagrant abuses which the preceding Commission of Enquiry had brought to light, the Bill appears to have passed both Houses without a single observation. At a still later period, the Commissioners of Education themselves, by virtue of the powers which their Act conferred, established the Exhibitions to which we have referred, and merely required that each candidate should have been for three years a pupil at some of the Royal Schools. It was probably thought that the inhabitants of these particular localities necessarily possessed a great advantage, in

having their children educated under their own eyes, and in thus avoiding the inconvenience and expense of sending them to reside in some distant county. But if the Legislature was justified in taking away from the Masters their estates, and appropriating to the present purposes, without any local restriction, the surplus revenues, they may well admit to a share in these advantages, if on other grounds it is judged expedient to do so, boys educated, as well as born, out of the charmed circle of the estates. On the whole we may conclude, that both in accordance with the spirit of the endowment, and by the express and deliberate sanction of the Legislature, these estates are national property, and are applicable to national purposes.

The Act of George III. gives to the Commissioners the alternative of maintaining Free Scholars at the School, or of establishing Exhibitions in Trinity College. To the former plan, as well as to the original idea of "Free Schools" the objections are at least as strong as to the present system of Exhibitions. The Board would either insist that the Master should instruct the Free Schools gratuitously, or they would pay him at a certain rate for each boy. In the first case, the Free Scholars would represent a certain charge upon the Master's salary; in the second, a certain number of pupils in addition to his salary, guaranteed to him by the Board. In a very short time the results of these two methods would completely coincide, and the Free Scholars would always be regarded as a charge upon a settled income. In such circumstances, unfailing experience shows that careless Masters are consequent upon the removal of the chief incentive to exertion. If the School is wholly Free, it is more than probable that the duty will, in general, be slovenly performed. If it is partly Free, and partly paying, there is a great risk that the Free students will be regarded as intruders by the Master, and as paupers by the boys. Parents, too, are reluctant to send their children as charity boys; and besides they will not prize highly what they get so cheap. From all these causes, the right of free education gradually falls into desuetude, until at length it becomes wholly obsolete, and even its original existence is disputed. We have full proof of these propositions in the very endowments of which we are writing. The Diocesan Schools support their original character of Free Schools by the gratuitous instruction of three boys, on an average, in each School. The Royal Schools, as having about three times their revenue, are proportionately liberal, and

exhibit an average of between seven and eight free pupils to every School. In Erasmus Smith's Grammar Schools there are absolutely none: we must remember too, that the returns from which these figures are taken, refer to a period during which considerable agitation had prevailed on the subject of gratuitous education. From the Report of Mr. Wyse's Committee it would seem, that twenty years ago the average number of Free pupils at the Royal Schools was less than half its present amount. The doubts which exist as to the right of Free admission sufficiently show, when compared with the original charter, the natural tendency of such a system. We have strong evidence of another kind against the success of gratuitous education. In a paper* read before the Society of Arts by the Dean of Hereford, so well known for his successful exertions in the cause of elementary education, we find some remarkable statements upon the subject. He proves beyond doubt that the parents, if they see that their children are making satisfactory progress, prefer to pay for their schooling, rather than to send them free of expense. He shows that the raising of the fee, when the character of the School is established, does not in the least diminish the attendance. Referring to a letter which he had read from a Schoolmaster, he writes, "the master speaks of his position as being far superior to what he would have had, if the School had been for the charity boys only. There is no doubt of this; and every good Schoolmaster in England is interested in giving the self-paying character to his School. It makes their position among those with whom they live a totally different one, and gives them the proper importance due to their situation, which, on the semi-charity plan, they never can attain." The same high authority, in strong terms, declares his conviction, founded on considerable personal experience, that "the educational and other charities dispersed over the country, do little or nothing but positive mischief." Similar opinions are held by several of the Privy Council, and by Inspectors of Schools, whose views are fully stated by the Dean of Hereford. We do not see any reason why these principles, which are true of elementary education in England, should not equally apply to intermediate education in Ireland.

* "Remarks On the Importance of Giving, as Far as Possible, a Self-Supporting Character to Schools for the Industrial Classes, and the Means of Doing So." London: Groombridge and Sons. 1853.

We have thus seen that considerable endowments for the purposes of intermediate education are actually in existence ; that these endowments, taken as a whole, give very small results ; that the Board of Commissioners under whose direction they are placed, is defective in its constitution, irregular in its functions, and limited in its powers ; that the present system of Exhibitions is unsatisfactory ; that the return to the original idea of Free Schools, or the foundation of a numerous body of Free Scholars is equally objectionable, and that the principle of legislative interference with these endowments is fully established. We shall now proceed to indicate the various reforms that, in our view, would increase the general efficiency of these institutions,—and which require for their completion the assistance of the Legislature.

In the first place, the Board should be re-organized, and its duties divided. The members of the present Board should be made visitors of the Schools, and trustees of the estates. They should form a Court of Appeal from every decision of the Board below, and should have full visitatorial powers. In the management of the estates they should have the assistance of a professional land agent, an arrangement which the Commissioners of Trinity College recommend in the case of that Institution, and they should have adequate leasing powers, and also powers of sale and exchange. It might, perhaps, be useful to permit them in case of a sale to give a Parliamentary title, or at least to sell under the Incumbered Estates Court, or whatever substitute for that Court may be hereafter found. The entire management of the Schools should be confided to a Board composed partly of Honorary Members, and partly of Salaried Commissioners. The latter should take an active part in the inspection of Schools, and in the examination for Exhibitions. They should also perform all the duties of Treasurer and Secretary. The increased expense would not be great. The present Act charges the Consolidated Fund with a sum not exceeding £700 a year, for the salary of the Secretary, and empowers the Lord Lieutenant to appoint whatever other sums he shall think fit for the payment of other Officers, and of the incidental expenses of the Board. The salary of the present Secretary is £450, and an additional £150 is given to him to provide an office, stationary, &c. In any change such as we propose, the services of the present Secretary would probably be retained as a salaried Commissioner. It

would not be very difficult to find a suitable office in the Castle, or some other public building, and the services of two other Commissioners could be secured for about £500 a year each. When the Board should be in full work, and the system completely established, the number of paid Commissioners might, perhaps, be reduced, by not filling up vacancies. As the College and the Schools must always influence each other, representatives of Trinity College, and the three Queen's Colleges, should form part of the Honorary portion of the Board. It would also be desirable that the Schools should be properly represented. This object could be effected by placing on the Honorary List some of the retired Masters of Schools,—and there are several distinguished men of this class,—or some Masters of the leading Schools, or by allowing the Schools under the management of the Board, to elect one or more representatives. In all cases the main object should be to secure the services of men, who were really acquainted with educational matters.

The next step should be to reduce into one common Fund all the property, not of the Royal Schools merely, but of the Diocesan, and the Private Foundations. In the case of the Royal and the Private Schools which are under the present Board, there could be no difficulty. The Board would merely receive increased powers of distribution. In the case of the other Schools, the Funds are at present paid, by the Trustees, to the Masters. In future the Trustees should account with the Board : whenever it could be done, the Funds should be transferred from the Trustees to the general Board of visitors and Trustees which we have proposed. By the Act of Geo. III., the Chancellor is directed to enforce the orders of the Commissioners, and at his discretion to remove the existing Trustees, and to bring the Schools under the administration of the Board. The same power might be retained, if it was not thought desirable to effect this object generally by Act of Parliament. The payments made for the Diocesan Schools should be made to the Board, and their amount should be definitely settled, and their collection provided for. The present mode of obtaining payment of this Fund is most unpleasant, both to the Clergy and the Schoolmasters. The Report of the Committee on Foundation Schools,* on this subject, is as follows :—“ These sums are

* P. 48.

paid now, as formerly, by the Bishop and Clergy of the Established Church in the respective districts, according to the proportions already determined by the Act of Elizabeth. They seem never to have been paid with much regularity. In the 15th Report of the Commissioners of Education, signed by several Right Reverend Prelates, it is stated 'that it would be highly expedient that the contributions of the Clergy should be paid with greater regularity, and to a greater extent than usual. It might not be unreasonable that they should be rated at a sum not exceeding two and a half per cent. of their respective incomes.' The present rate is much below that sum, but it is found to be, notwithstanding, of extremely difficult collection. Mr. Kyle states that while their proportion is easily levied from the Bishops, the Schoolmasters find it very difficult indeed to get their quota from the respective Clergy of the diocese, especially in the South of Ireland. The teachers themselves are obliged to levy this amount, nor does it appear that they are aided by the Diocesan, who does not exercise the power, with which he is invested, of enforcing it." The Committee afterwards recommend that these payments "be compounded for with Government at a specified value, or that they be no longer required."

We would venture to offer two suggestions on the subject. We do so with hesitation, because we fear that we may be liable to some mis-interpretation. It must not be forgotten that these contributions are a first charge upon Church property; that all the present incumbents have taken their livings subject to this charge; and that they have hitherto paid a very small rate in a very unpleasant manner. We wish, therefore, to guard against the possibility of our being supposed to advocate any undue alienation of Ecclesiastical property. The sum is too considerable to remit altogether. If the thirty-four Dioceses were to contribute an average of £150 each, of which £100 would fall upon the general Clergy, there would be a gross Fund of £5,100. That sum, if judiciously applied, would be of great service in advancing Education. At the same time, when we bear in mind the many burthens of the Clergy, it would be desirable not to add another, however clear the right may be. We would then suggest that part of the Revenues of the Ecclesiastical Commissioners should be allocated in lieu of the contributions of the Bishops and Clergy. On the death of the

present Archbishop of Armagh, a sum of £4,500 a year will revert to the Commissioners from that See. If this sum were transferred to the Commissioners of Education, it would increase their means, and relieve the Clergy, while it would not withdraw any of the means now at the disposal of the Ecclesiastical Commissioners. Until the sum fell in, and we trust that the event upon which it depends is still far distant, the Board should undertake the collection of the present salaries ; and, if it were thought fit to continue the Tax upon the Clergy, a large portion might be collected through the Ecclesiastical Commissioners. That body levies a Tax, at a certain percentage, upon all Ecclesiastical Incomes over £300 a year. It would be only necessary for them to add the increased percentage for the Diocesan Schools, and to pay the proceeds to the Educational Board. For the collection of the Tax, in cases under £300 a year, the easiest way would be to make the Bishop, in the first instance, accountable. He would then, in most cases, enforce payment, although now he rarely does so.

Over the common Fund thus created, the Board, subject to the control of its visitors, and to the approbation of the Lord Lieutenant, should have full power. They should be allowed, at their discretion, to found new, or take into connection, existing Schools ; to increase, diminish, or wholly discontinue, the Master's salaries, a power which even at present they possess ; to make provision for the superannuation of Masters, and for the constant and efficient inspection of all Schools under their care. When ever necessary to build School-houses, it might be made imperative on the Grand Jury of the county to present, when required by the Lord Lieutenant to do so. As to the repairs of existing houses, it would probably be the best course to throw the burden upon the incumbent, as in the case of Ecclesiastical dilapidations. The Board should, at the same time, have the power of assisting at their discretion, and should have the houses inspected every three years by a competent person. The Board should also have the power, in all cases in which they gave salaries, to fix the rate of fees for tuition. They should not interfere with the Master's arrangements, for the support and maintenance of his boarders ; but the true way of securing to the public the benefit of the Endowment, and of reconciling the interests of the Pupil and the Master, is to fix, at a reasonable rate, the fees for mere instruction. An obvious precedent occurs in the system of the Queen's Colleges.

When cheap, but not gratuitous, Education is thus secured, we may consider the propriety of devoting a part of the surplus funds to the endowment of Collegiate Exhibitions. Mr. Wyse's Committee seems to doubt the policy of such foundations. We cannot, however, on this subject go with them. We know no other means of obtaining such large results with a limited sum. Every parent naturally thinks his own son likely to obtain one of these prizes, which at once confer upon the holder rank among his companions, and relieve the paternal finances in the most gratifying way by the honorable and hard won earnings of the boy. Thus the Exhibitions operate as an attraction to children yet untried, and bring more pupils to School. After some time spent at School, if the parent has any reason to hope, and he is slow to despair, that his son has a fair chance of success, he will leave the boy a year or two longer, and thus Exhibitions—and nothing can be more important—keep boys at School. Even if the boy fails, and from the very nature of the case the great majority must fail, the effort has not been without its value. The simultaneous efforts too, of a whole School, although the boys themselves are unconscious of them, imperceptibly raise the standard of Education. The Master is not slow to feel the general activity. The Exhibition is the great prize of his School. To its attainment all his energies are directed. He is not influenced merely by the desire of doing his duty, and of promoting the general advancement of his pupils. He has a more definite object. His professional character and prospects are much more nearly effected by the immediate success of his pupils, when they first leave him, than by their prosperity in after life. In the one case, there can be no doubt that his skill mainly contributed to the desired result,—in the other, his share cannot easily be perceived or apportioned. But while he hurries on his most promising boys every year, he insensibly draws along with him the whole School. How highly Exhibitions are prized, both by the scholastic profession and by the public, the complaints of the unendowed School Masters, and the reasons which they assign for those complaints, sufficiently prove. These we have already given in their own words, but now, in support of our views, we shall bring forward the evidence of two "practical men." Both are successful teachers, the one in England, the other in Ireland: the former has Exhibitions attached to his School, the latter has none. The former, the Rev. John Day Collis, who, though an

Irishman by birth, has converted a poor and decayed Grammar School in Worcestershire into a prosperous and valuable Institution, in an interesting address, when commemorating the Tercentenary of the foundation of his School, makes the following remarks :—"There is one advantage in the meagre sum (£35 a year) which the Head Master receives here ; and it is this, that he must work for his bread. * * * The best endowment for any School, the most certain means of attracting pupils, and stimulating their exertions as well as those of the Masters, is to endow it with scholarships and exhibitions. These keep alive the energies of the master no less than of the pupil ; these stimulate the flagging zeal of the former, and by holding out to the latter a substantial reward for industry, they give a spur to study such as it would be in vain to look for, from any other quarter. The real endowment of this School consists in the six Scholarships to Worcester College, with the six Fellowships attached. These are the substantial prizes we have to offer the rising talent of our pupils, these the rewards which will fall to the lot of industry and application."* We may observe that although Mr. Collis so highly values his Exhibitions, he does not shrink from opening them to competition. In another part of his address, he refers to some changes proposed in Worcester College by the Oxford University Commissioners. The result of these changes would be to increase the number of Scholarships given in that College, but at the same time to open them to all Schools in Worcestershire. Of this proposal, at first sight so injurious to his interest, Mr. Collis does not hesitate to express his approval. He thinks, doubtless, that such competition will only stimulate his pupils, and he does not fear, for himself, the industry or skill of the other Masters.

Our other witness is the Rev. Dr. Wall, of Dublin, the President of the Academic Association, and for thirty years a successful laborer in his arduous profession. This gentleman, after strongly advocating the remodelling and general extension of the Exhibitions, writes, "The exhibitions thus obtained (to continue for four years) will enable a number of deserving and well educated young gentlemen to obtain a degree, and pursue a profession in whichever College they consider most to their

* See "The Proceedings at the Tercentenary Commemoration of the foundation of the Grammar School of King Edward VI., Bromsgrove, Worcestershire, on Thursday 31st of March, 1853." Bromsgrove: Maund and Palmer.

advantage; whilst the prospect of such a thing being within his reach will stimulate many a schoolboy who may not finally be successful, to aim at a higher degree of excellence than he would otherwise be inclined to do. Thus will there be secured in all the Schools of the country, endowed and independent, a uniformity of system and a good curriculum of useful knowledge, to become the groundwork of future distinction and of a more extended Education; the standard and tone of Education will be raised in *every* School, and as it will in this way be necessarily of a better order, even those boys who would have no chance of succeeding at such an examination, yet being reared in the atmosphere of an improved system of instruction, cannot fail of being better taught than they otherwise would be."

There can, at the same time, be no doubt that the present system of Exhibitions requires some modification. The course should be prescribed by the Board, and the examinations conducted either by the paid Commissioners, or under their immediate direction. The successful candidate should be permitted to pursue his studies in any of the Irish Colleges, subject only to the condition of obtaining a certain number of prizes yearly. This condition is imposed by the present Board, and acts as a useful check upon the indolence which past success often produces. The only condition precedent which should be required, would be evidence of having studied for a year at some of the Schools under the management of the Board. Our reason for proposing this restriction is, that a great inducement would then be held out to private Schools, to place themselves in connection with the Board. They would, in a great measure, be compelled in self defence to do so. If of two Schools of nearly equal merit and expense, one could send its pupils to compete for a large number of valuable Exhibitions, while the other had no such privilege, there cannot be much doubt which the public would prefer: at present only four Schools have Exhibitions, and the effect is sensibly felt by their less fortunate competitors. But if forty Schools had this right, the remaining Schools in the country could scarcely maintain the contest. If the whole intermediate education of the country was in this way organized, great advantage would probably follow. In the first place, uniformity of system and a good course of instruction throughout all the Schools of the country would, as Dr. Wall has observed, be established. Such a result would be in itself

a great gain, but it would lead to a still more important change. One main cause of the waste of time and power which has hitherto attended education, at least in Ireland, has been the want of a proper division of labor between the Schools and the Colleges. The latter have always shown a tendency to leave out of sight the Schools, and to aim at a complete system of education within themselves. A glance at their courses will prove this statement. In Trinity College the junior Freshmen commence with Arithmetic and the first book of Euclid, as if no such mysteries were ever taught at School. A large classical course is prescribed for entrance, but to make assurance doubly sure, most of it is read over again during the undergraduate course. The Queen's Colleges profess to require an extensive knowledge, both of classics and science, for entrance, but as they wished, we suppose, to improve upon the old institution, the very books which are appointed for the Matriculation Examination, again appear in the University Examination for the degree in Arts. Many persons wish to render the Colleges, as they conceive, more generally useful by abolishing all preliminary tests, and permitting the student to pursue his favorite studies. But besides other objections, this method would bring the College into direct competition with the Schools. The Matriculation Examination, if it was carefully conducted, and if a proper understanding between the two branches of the profession was established, might mark the end, rather than the beginning, of the student's course in certain subjects. He might thus be left free to follow other branches which could not be conveniently taught at Schools, or to pursue the higher ranges of the subjects with which he was already familiar. It is safer and indeed easier, to bring the Schools up to the Colleges, than to draw down the Colleges to the Schools. A measure which would give such an organization to the Schools as would admit their being dealt with as a whole, and of undertaking a certain definite part of instruction, while the part which the Colleges should supply should be equally well understood, would be a great step towards University Reform.

The most direct and certain advantage which we should anticipate from this system arises from the constant inspection of the Schools. The salaried Commissioners, or if these were not appointed, Inspectors under the direction of the Board, should at least once a year visit every School of the Board, and report upon

its general condition. The healthy and prosperous School would court the fullest enquiry. The ill managed and neglected would alone object. Parents would rejoice in such a system, for it would both prevent and correct abuse. They would also be able to obtain authentic information as to the character of the School to which they proposed to send their children. Masters would find a favorable report of their system of instruction, and of their attention to the health and comforts of the boys, a more satisfactory recommendation than references to a few distinguished persons, whose personal knowledge of the School is often very slight, or even than occasional Honors at the University. The system of inspection has been found very useful in Elementary Schools both in England and Ireland. It has also been tried, as a voluntary system, with some success in the case of intermediate Schools in England, under the care of the College of Preceptors. Its absence in the Endowed Schools of this country is regretted by the Committee on Foundation Schools, to whose labors we have made such frequent reference.

In addition to the complaints of its cost, many persons object to the kind of instruction given in the Endowed Schools, and propose various substitutes for it. Into this subject we shall not enter. The question is too important to be discussed in the narrow limits of the space which remains at our disposal; besides, it does not belong to those legislative changes with which we are now more immediately concerned,—no person would dream of regulating School courses by Act of Parliament,—even the Board should not exert any direct authority in determining them. Indirectly, the Board would exercise a great and beneficial influence through their Exhibitions. If it seemed desirable to encourage the study of any particular subject, they would found an Exhibition for proficiency in that subject. If they wished to discourage some branch already taught, they would simply leave it unendowed. In both cases, the Masters and pupils would soon, unless in some peculiar circumstances, insensibly fall in with the wishes of the Board. Further than this, interference would do, to say the least, no good. The public, with the assistance of the examinations and the reports of the Inspectors, would quickly discover where the best teaching was given, and the best books were used; and the Masters, for their own interest, would not be slow in carrying out the results which were thus obtained. The different

•

practice of different Schools would be a far more likely method of discovering the truth, than the most careful meditations of the ablest Board. The question, indeed, of the best subject for study at School in the present day is far from settled. But the experience which, in a few years, would be gained from so large an experiment, the results of which it would be the duty of the Board to preserve and digest, would furnish valuable data for the solution of this important problem.

It has been unfortunate that a change in their teaching has generally been mixed up with proposals for amending the condition of the Endowed Schools. Many persons, real friends of education, have been averse to any interference with the Schools, because they feared that inconsiderate changes, made by unskilled hands, were calculated to destroy the proper character of the Schools, and to substitute for accurate study, and strict mental discipline, a superficial, showy acquaintance with some popular subjects. With alterations conceived in such a spirit, we have no sympathy. We have no idea of turning our Schoolboys into members of literary and scientific Societies. Our hope and desire is to see the Schools and Colleges of Ireland combined into one harmonious system, neither of the two ignoring the existence of the other; neither engaged in the hopeless attempt to give an education in itself complete, but the one laying the broad foundation, the other erecting the stately superstructure; the one carrying general education as far as all can travel together on the same road; the other gradually, though steadily, guiding each student to those separate pursuits to which his special circumstances incline him.

In the Royal and Diocesan Schools, the appointment of the Head Master rests in most cases with the Lord Lieutenant. The exceptions are the Diocesan Schools of Armagh, Dublin, Kildare and Meath, and the Royal School of Armagh, which are in the gift of their respective Prelates; the Royal School of Dungannon also appears to be in the gift of the Primate. The patronage of the Private Foundations belongs to the representatives of the original trustees, or to trustees now acting, or to corporations, or to the Bishops of the Established Church. We have already observed, that in no case, except the Schools of Erasmus Smith, and one private foundation of small importance, is any religious qualification required. It would greatly tend to secure proper appointments, if, as Dr. Wall has suggested,

the Board were empowered to present a list of some limited number of names, at each vacancy, to the Patron, out of which he should be bound to make his choice. In default of appointment by the Patron within a specified time after he had been furnished with the list, the appointment should lapse to the Board. It would also serve to remove, still more effectually, religious difficulties, if the patronage of the Bishops was transferred to the Lord Lieutenant. A change in the appointment of Assistants would also be desirable;—at present the Assistant Master is paid by the Board, and is thus in a great degree independent of the Principal. But in a school it is quite essential that perfect harmony should exist among all the Masters, and that the authority of the Principal should be supreme. Such an end can only be obtained by giving the Head Master full power to appoint and dismiss his own Assistants. We believe that one of the largest schools in Ireland received a severe and lasting injury from the imperfect control of the Principal, and the difficulty of removing, without direct proof of misconduct, Assistants who were notoriously unfit for their position. The best plan would be to give the Principal a certain salary, and require him to provide as many Assistants as the School might need.

We have hitherto confined our observations exclusively to the Commissioners of Education, and the Schools which are under their Superintendence. We have still to notice the Grammar Schools which were founded by Erasmus Smith. These Schools were specially exempted from the operation of the Act of George III. and are under a distinct and peculiar management. We do not think that there is any valid reason for this exemption. It can scarcely serve any good purpose to keep up a separate Board, and that too, of so unwieldy a nature as is the Board of Governors of Erasmus Smith's Schools; for the administration of four Schools. At the time when this Board was constituted, no other means existed of administering its trusts. At present the machinery for a more complete execution of the settler's design exists, and the interests of the public, and the Schools would certainly be promoted by placing them under the same control as all similar institutions of the country. The Acts of Parliament which regulate these Schools, require in every particular, careful revision. At present, each of the head masters receives the original salary of a hundred marks, or £66 13s. 4d. a year. The Ushers

seem to have fared a little better. The Charter only allows twenty pounds a year, and one Usher to each School. The Board seem to have strained their power in allowing them £50 or £60. From a Parliamentary return, it appears that the entire expenditure upon the four Schools for the last year has been £658 10s. 9d. Of this sum, £186 17s. 5d. are set down for "rents, poor rates, insurances, repairs and incidentals." Yet these Schools were the immediate object of the endowment, and the gross rental of the estates in that same year, exclusive of Receiver's Fees, exceeded £8,500, and the actual receipts of the Governors were £7762 18s. 9d. This surplus is variously applied under legislative sanction. We might well return so far to the Founder's intention, as to give to the primary objects of his bounty, that "liberal maintenance" with which, as the Charter recites, he was so anxious to endow them. Even if no additional funds for the purposes of intermediate Education were granted, from the Erasmus Smith's estates, their present amount may be estimated at £1,000 a year. The estates of the Royal Schools produce at least £6,000 a year. The Diocesan Schools should bring £4,000 a year. The aggregate revenue of the Private Endowments under the Commissioners of Education is about £2,000 a year. If we suppose the Miscellaneous Minor Endowments to be consolidated, and take their gross amount at one-third of Mr. D'Alton's estimate, we shall have a similar sum. Then a sum of £15,000 a year, would be available for purposes of intermediate Education. Such a sum, if applied on judicious and liberal principles, and administered by men who were really familiar with their subject, would amply supply our present Educational requirements.

It will readily appear that the actual changes in the law requisite to carry out the views which we have indicated are not very complicated, or extensive. Yet, it would be perhaps too sanguine to expect their speedy completion. At some time or other, they will probably come. But in this as in every other case of reform, prejudice and misapprehension, and most formidable of all, the *vis inertia* which is generated partly by indifference to the subject, and partly by imperfect acquaintance with it, present serious obstacles. The indiscretion of zealous

* Ordered by the House of Commons to be Printed, 26 May, 1854. No. 273.

friends too increases the difficulty. Some accuse the Board of Education of culpable neglect, if not of something worse. Others would like to make the Endowed Schools subsidiary to the Queen's Colleges. Others would not interfere with existing arrangements, but call upon the government to establish a new set of intermediate Schools. Others again would revolutionize the teaching and the revenues of the Schools. Such proposals are likely to involve the question in difficulties from which it is naturally free. No educational question has ever been beset with so few real troubles. Strange to say there is no religious difficulty. All the Schools, of whatever kind, are open to, and with a few exceptions may be governed by persons of any religious denomination. We propose no new establishment. We seek merely the greater efficiency of those which the wisdom and liberality of our ancestors endowed. We find no fault with the present Board. We thankfully acknowledge that they have acted with discretion, and that their success has been as great as a Board so constituted could attain. We do not ask for particular advantages to any institution. If the Queen's Colleges receive any benefit from the change, it will arise merely from the improved educational condition of the people. There need be no interference with vested rights. We do not ask for the new Board greater authority over the masters of the Schools than the existing Board possesses. We do not recommend any new office. We only divide the functions and enlarge the power of a body already in existence. Nor have we been led astray by any wild theory of impossible perfection. We have merely proposed the application of a principle which the Legislature has frequently recognised. Most of our suggestions have been long since recommended, after ample enquiry, by a Committee of the House of Commons. Last, though at present not least in importance, we do not demand any grant of public money. The solitary favor which we ask is, that we may be permitted to use our own resources. *

* In a previous page of this paper, it was stated that there were no Free pupils at the Erasmus Smith Schools. We now learn that there are twenty-six free pupils altogether in attendance upon these Schools.

ART. II.—THE HISTORICAL SOCIETY OF TRINITY COLLEGE, DUBLIN.

SECOND ERA.

In our former paper,* devoted to the history of this famous Society, we traced its course from its foundation, with the support of the Fellows, to its expulsion, at the command of the Board: we now proceed to relate its chief events from the period when the gates of the University were closed against it: and if, in this statement, it should seem that eloquence has decayed amongst us, let it be remembered that learning and sober thoughtfulness have more than proportionally advanced and flourished.

Soon after the Board had resumed possession of the rooms hitherto occupied by the Society, they offered them to such of the Students as might be willing to accept them, subject to those rules which the original Society had refused to observe. A few of the Students, preferring a recognized position in College, to a participation in the fame and honors of the extern Society, when united with an opposition to the Heads of the University, accepted the offer thus made, and having met together, passed a series of resolutions, for the regulation of the newly-formed Society, holding out, at the same time, to the Members of the extern Society, the privilege, until the 1st of January of the ensuing year, of joining them on subscribing to the resolutions just passed. Among the earliest members of the renewed Society may be mentioned the present Chief Justice Lefroy. At its second meeting, eleven members joined the original twelve, among whom were the late Provost, Dr. Sadleir, and Dr. Kyle, late Bishop of Cork.

We will not dwell on the submissive addresses of the infant Society to the Board, which had just shown its paternal solicitude for such Institutions, by suppressing its predecessor; nor the dignified replies to such addresses, that emanated from those luminaries, but will only remark that, within a year from

* See Irish Quarterly Review, Vol. IV. No. 14. p. 305. Art. "The Historical Society of Trinity College, Dublin—First Era."

the foundation of the Society, its members presented a petition, praying for a relaxation of some of those fundamental rules, which they had accepted from the Board, as the charter of their existence. In one respect, at least the Board yielded to their wishes, and allowed a limited number of the former members, whose names were no longer on the College books, to continue as Honorary members of their Society. Among those thus honored by the Society, occur the names of Plunket, Peter Burrowes, and Richard Jebb, who was afterwards raised to the Bench.

But the feeble and struggling state of the Society, that rendered the aid of some of the former and more advanced members, necessary to its existence, gradually wore away, and from its small commencement soon began to rival its exiled predecessor. One of the greatest ornaments that the Society could boast of, in those early days of its renewed existence, was John Jebb, afterwards Bishop of Limerick. His talents as a speaker were very great, and the practice attained in the Historical Society, he acknowledges, as of signal service to himself in after life, when, on being appointed to the Bishopric, he took his seat in the House of Lords. There his self-possession, and the readiness of his replies, fully displayed the advantages of his early training.

While a member of the Society, he had to lament the loss of two of his most intimate friends, Messrs. Reid and Sargint, whose premature deaths made a great impression on him.

"To these interesting young men, who had been among its chief ornaments, the Historical Society" writes the Bishop's biographer, "wished to pay a tribute of affectionate remembrance, and Mr. Jebb accordingly was invited to address the Society from the chair, in a speech upon the characters and deaths of their departed friends. His speech was printed by desire of the Society, and passed through two editions. I borrow with pleasure from Dr. Taylor's communication; 'These were the days of the Historical Society, of which Mr. Jebb was a distinguished member, and the charms of his eloquence are still among the pleasant reminiscences of his contemporaries. One only of his addresses has been preserved, it was delivered from the chair of the Society, on the occasion of the death of two young men, Reid and Sargint, youths of high promise, cut off at the moment that the hopes and anticipations of their friends seemed about to be realized. Simi-

larity of dispositions and pursuits had united them and Jebb in the strictest bonds of affection, and he who had to pronounce their funeral eulogy, was the person who felt their loss most bitterly. No stranger can read this simple and pathetic address, without being affected ; but those alone who heard it can picture the effect that its delivery produced."

The Bishop long afterwards retained a warm attachment for the Historical Society, and set such a value upon the honors he had obtained in it, as to name specially, in his will, the two medals he had received while a member.

Another of those whose talents obtained him notice in the Society, was Hugh George Macklin, afterwards Advocate-General at Bombay, of whom, Moore in his Journal thus speaks :—

" Among the young men with whom I formed an intimacy in College, some were of the same standing with myself, others more advanced. One of the latter, Hugh George Macklin—or as he was called from his habits of boasting on all subjects, Hugo Grotius Braggadocio—had obtained a good deal of reputation both in his collegiate course, and in the Historical Society, where he was one of our most showy speakers. He was also a rhymers to a considerable extent, and contrived, by his own confession, to turn that talent to account, in a way which much better poets might have envied. Whenever he found himself hard run for money—which was not unfrequently the case—his last and great resource was, to threaten to publish his poems : on hearing which menace, the whole of his friends flew instantly to his relief. Among the many stories relative to his boasting powers, it was told of him, that being asked once, on the eve of a great public examination, whether he was well prepared in his Conic Sections, 'Prepared', he exclaimed, 'I could whistle them.' In a mock account, written some time after, of a night's proceedings in our Historical Society, one of the fines enforced for disorderliness was recorded as follows—'Hugo Grotius Braggadocio, fined one shilling for whistling Conic Sections.' "

In November, 1797, Moore entered the Society, having previously been a member of a junior debating society, that served in some measure, as a training school for the more advanced Association. In a few days after, another name was added to the Society, destined to win for itself a painful notoriety in the troublous times that followed, we mean Robert Emmet. United by a similarity of views, and a kindred genius, of the same standing in College and in the Society, an intimacy of the closest kind sprang up between the poet and Emmet.

How different the fate that awaited each! The one the favored associate of the rich and noble, yet not the less beloved by the lowliest peasant of his native land, has but the other day sank calmly to rest, the wreath of fame resting upon his brow, the regrets of all classes and parties following him to the grave. The other—

“ Oh! breathe not his name, let it sleep in the shade,
Where cold and unhonour'd his relics are laid:
Sad, silent and dark, be the tears that we shed,
As the night dew that falls on the grass o'er his head.”

The notices of the Historical Society which Moore gives in his *Journal* we transcribe, as affording a vivid description of the state of party feeling, which prevailed at this time within, what had hitherto been, the peaceful precincts of the Society :—

“ The political ferment that was abroad through Ireland soon found its way within the walls of the University, and a youth destined to act a melancholy, but ever memorable part in the troubled scenes that were fast approaching, now began to attract in no ordinary degree, the attention, both of his fellow students, and the College authorities in general. This youth was Robert Emmet, whose brilliant success in his College studies, and more particularly in the scientific portion of them, had crowned his career, as far as he had gone, with all the honours of the course; while his powers of oratory displayed at a debating Society, of which, about this time, 1796-7, I became a member, were beginning to excite universal attention, as well from the eloquence as the political boldness of his displays. He was, I rather think by two classes, my senior, though it might have been only by one. But there was, at all events, such an interval between our standings as, at that time of life, makes a material difference; and when I became a Member of the Debating Society, I found him in full fame, not only for his scientific attainments, but also for the blamelessness of his life, and the grave suavity of his manners. Besides the Minor Society, there was another in College, for the higher classes of students, called the Historical Society, established on the ruins of one bearing the same name, which had some years before been (on account of its politics, I believe) put down by the Fellows, but continued in defiance of them to hold its sittings outside the walls. Of this latter association, Charles Bushe, the present witty Chief Justice, was, if I am not mistaken, one of the most turbulent, as well as most eloquent, members.

In the course of this year, 1797, though I cannot exactly say at what period, I was admitted a Member of the Historical Society of the University, and here, as everywhere else, the political spirit so rife abroad continued to mix with all our debates and proceedings, notwithstanding the constant watchfulness of the College authorities, and of a strong party within the Society itself which adhered

devotedly to the politics of the government, and took part invariably with the Provost and Fellows in all their restrictions and inquisitorial measures.

The most distinguished and eloquent among these supporters of power were a young man, named Sargeant, of whose fate in after days I know nothing; and Jebb, the late Bishop of Limerick, who was then, as he continued to be through life, highly respected for his private worth and learning. Of the popular side in the society, the chief champion and ornament was Robert Emmet; and though every care was taken to exclude from among the subjects of debate all questions likely to trench upon the politics of the day, it was always easy enough, by a side wind of digression or allusion, to bring Ireland and the prospects then opening upon her within the scope of the orator's view. So exciting and powerful in this respect were the speeches of Emmet, and so little were the most distinguished speakers among our opponents able to cope with his eloquence, that the Board at length actually thought it right to send among us a man of advanced standing in the University, and belonging to a former race of good speakers in the society, in order that he might answer the speeches of Emmet, and endeavour to obviate what they considered the mischievous impressions produced by them. The name of this mature champion of the higher powers was, if I remember right, Geraghty; and it was in replying to a speech of his one night, that Emmet, to the no small mortification and surprise of us who gloried in him as our leader, became embarrassed in the middle of his speech, and (to use a Parliamentary phrase) broke down. Whether from a momentary confusion in the thread of his argument, or possibly from diffidence in encountering an adversary so much his senior, (for Emmet was as modest as he was high minded and brave) he began, in the full career of his eloquence, to hesitate and repeat his words, and then, after an effort or two to recover himself, sat down."

Again, in his *Life of Lord Edward Fitzgerald*, Moore thus recalls the appearance and manner of Emmet in the Society:—

"Simple in all his habits, and with a repose of look and manner indicating but little movement within, it was only when the spring was touched that set his feelings, and, through them, his intellect in motion, that he at all rose above the level of ordinary men. On no occasion was this more peculiarly striking than in those displays of oratory, with which, both in the Debating and the Historical Society he so often enchained the attention and sympathy of his young audience. No two individuals, indeed, could be much more unlike to each other, than was the same youth to himself *before* rising to speak and *after*. The brow that had appeared inanimate and drooping, at once elevating itself in all the consciousness of power, and the whole countenance and figure of the speaker assuming a change as of one suddenly inspired. Of his oratory, it must be recollected, I speak from youthful impressions; but I have heard little since

that appeared to me of a loftier, or (what is a far more rare quality in Irish eloquence) purer character ; and the effects it produced, as well from its own exciting power, as from the susceptibility with which his audience caught up every allusion to passing events, was such as to attract at last seriously the attention of the Fellows ; and by their desire one of the Scholars, a man of advanced standing and reputation for oratory, came to attend our debates for the purpose of answering Emmet, and endeavouring to neutralize the impression of his fervid eloquence."

Of the poet himself, a contemporary in College thus writes :—" Our young hero's next display was in Trinity College, Dublin, where he entered a pensioner. The Historical Debating Society was then in full health and vigour. Young Moore, in his first speech, made an impression on the auditors that engaged their attention, and struck deeper at every successive debate. He invited me to his rooms in College, to hear him and his fellow-students at rehearsal ; their compositions were exceedingly clever, but my friend had the best, and his delivery was easy and natural, much superior to any that competed with him—his speeches had all the effect of extemporary effusions."

But the friendly discussions of the Society did not long continue uninterrupted. The political horizon had been for some time growing dark and menacing. Without, the power of France, directed as it was by the revolutionary leaders, threatened with invasion, and undermined by intrigue, every country which still continued faithful to its original form of government, and still held aloof from a participation in those dreams of liberty and advancement that could find their only fulfilment in the destruction of all who from birth, fortune, or talents, seemed to be above the common mass. While within, that storm was gathering which so soon burst over our unfortunate country, only to leave its authors, whether deceived or deceiving, to pine away in the dungeon, or to expiate their treason on the scaffold. The meetings of the Society did not indeed cease, but politics took the place of literature, and the fear of invasion forced even the youngest and most heedless to bethink him of defence. In the autumn of 1796, a private meeting was held in College, at which resolutions were passed, expressive of a desire, on the part of the students, to arm in defence of their country, and promising that their academic duties should not be interfered with by their military avocations. When, however, these resolutions

were laid before the Chancellor of the University, he refused his consent, on the ground that such a proceeding would be incompatible with literary pursuits. The late Rev. Peter Roe, from whose *Journals* we take these particulars, referring to this period, writes :—

“ Though disappointed in their first attempt, the young and ardent loyalists of Trinity College were, in the end, to succeed. The aspect of affairs became more gloomy. The French fleet appeared off the coast. All armed associations received orders to be ready to garrison the city at a moment's warning, and were served with ball cartridge accordingly. The attorney's and city corps offered to march wherever government thought most advantageous to the public service. On the 26th of December, the Collegians again applied for permission, to be allowed to arm for the defence of their country. They adopted the same resolutions as before, and transmitted them to the Lord Lieutenant, signed by two hundred and five persons, among whom were all the lay fellows and several of the clerical ones. The impending danger which threatened the nation, seems to have procured for the petitioners a more favourable hearing than before : for in two days after the resolutions were presented to the Lord Lieutenant by the Provost, an answer was received, granting to the students that permission to embody, for which they sought so ardently. They accordingly met in the Historical Society room, and appointed a Committee of five, to examine and give a return of all those who were able and fit to bear arms. This was necessary, as several very young lads, who were totally unfit for service, signed the resolutions. The return made was two hundred and ten, none of whom were under five feet six inches. There were about ten represented to the meeting as under size, but able for any service ; these by a vote of the meeting were elected members of the corps. It was also voted, that all gentlemen who had taken their degrees in College, and all who attended the College medical professors, were eligible to be admitted by ballot. Immediately after, the newly constituted corps proceeded to the election of its Officers, and to the choice of a uniform. Four Captains and eight Lieutenants were chosen—all of the former and two of the latter were fellows of the University : and the corps selected for their uniform, scarlet, faced with blue, without any lace, and plain gilt buttons—white Kerseymere waistcoat and breeches, with black leggings. Government is greatly praised for allowing the students to embody ; as, if there was an insurrection, or any ferment in town among the lower orders of people, we could contribute more to the restoration of peace than any corps in the kingdom, as the name of College carries terror along with it.

“ January 10th, 1797—yesterday the College corps received their arms from government, and we have even now made some progress in our exercise. Our Officers are particularly attentive. I was on guard in the College the whole of Saturday night, as the arms were lodged that day in a room. I was very comfortable and happy, as the whole serjeant's guard was very pleasant

and entertaining. I stood sentry two hours; the remainder of the time I was in the Historical Society room, which was converted into a guard room.

"January 21st—yesterday the College corps made its first public entrée, and cut a most respectable figure. It certainly was a glorious spectacle to behold two hundred of the first youth and flower of the nation, assembled in martial array, in support of the rights and liberties of their country. We were the admiration of every one who saw us; and all paid the most flattering compliments to our appearance and discipline.

"February 4th, 1797, our corps left the College at nine o'clock on Thursday, and marched to the Green, where we waited until a quarter past ten, when a gun was fired as a signal to march. The cavalry went first in files of two, and were followed by the infantry, consisting of eleven corps, ours in the centre; we then proceeded to the Park, and drew up in line on the fifteen acres, where we waited for the Lord Lieutenant, John, Earl of Camden, who came into the field at one o'clock, and was saluted by twenty-one pieces of artillery, which had a grand effect indeed. He then rode along the line, and returned to the camp colours, where we passed in quick and slow time. He was attended by a numerous and elegant suite, amongst whom was the Commander-in-Chief, and a great number of General Officers. He was pleased to express his most decided approbation of the College corps, and was astonished at their discipline and military appearance.

"Amidst all this pomp and pride of War, the Society continued to meet, but events were hurrying on to their crisis, and at last burst forth in the Rebellion of '98. Such a calamity was sufficient to arrest the attention of the most careless, and was felt most acutely by the Members of the Society.

"On the 30th of May, it was resolved—1st.—that the Historical Society, with the warmest feelings for the common cause of their Country, and resolved to join heart and hand in defence of their liberties and laws, which are at this day attacked by disaffection and rebellion, have unanimously resolved to suspend their meetings until the happy return of domestic tranquillity. 2nd.—resolved, that as nothing but the superior voice of our Country could call for this adjournment of our Institution, the Auditor is requested to give notice of the first meeting of this Society, to take place after the long vacation which is now at hand."

When the Society re-assembled, in the autumn, among the new Members proposed we may mention the Right Hon. John Wilson Croker, the late Baron Foster, Mr. Litton, now Master in Chancery, Rev. Charles R. Maturin, * and the Rev. George Crolly; nearly all of whom obtained the honors of the Society either in poetry or oratory. Even whilst a Member of the Society, the merits of Mr. Crolly's poetical

* For a Memoir of Maturin, See Irish Quarterly Review, Vol. II. No. 5. p. 141.

efforts were acknowledged, it having been unanimously voted that he be permitted to publish his poems, now on the Essay Book of the Society.

It was about this time that Moore found himself in some difficulty on account of a composition for which he had obtained a medal, but the tone of which was considered rather objectionable when seen afterwards on the books of the Society. But we shall use the Poet's own account of the matter.—“A struggle in which I myself was, about this time, engaged with the dominant party in the Society may be worth dwelling on for a few moments,—the circumstances attending it being, in no small degree, perhaps, characteristic as well of the good as the bad qualities of my own character at that time of life. Besides the medals given by the Society to the best answerers in history, there was also another for the best compositions sent in at stated periods, either in prose or verse. These productions were all to be delivered in anonymously, and on the night when they were to be read aloud for the judgment of the Society, a reader for each was appointed by rotation from among the members. Taking it into my head to become a candidate for this medal, I wrote a burlesque sort of poem, called an ‘Ode upon Nothing, with Notes by Trismegistus Rustifustius, &c &c.’ My attempts at humorous writing had not been many, and the fun scattered throughout this poem was, in some parts, not of the most chastened description. On the night when it was to be read, whether by mere accident, or from a suspicion that the poem was by me, I was voted by the Society to be the reader of it; and as I performed my task *con amore*,—though tremblingly nervous during the whole operation,—and in some degree *acted* as well as *read* the composition, its success was altogether complete; applause and laughter greeted me throughout, and the medal was voted to the author of the composition triumphantly. I then acknowledged myself in due form, and the poem was transcribed into the book of the Society appointed to receive all such prize productions.

“Being now open to the cool inspection of the members, the objectionable nature of some parts of this extravaganza began to be more seriously viewed,—at least by the party opposed to me in politics—my own side, of course, seeing nothing wrong whatever in the matter,—and at length notice was regularly given of a motion to be brought forward in the following week for the ‘expurgating of certain passages in a composition entered on the

books of the Society, entitled 'An Ode upon Nothing,' &c &c.' On the night appointed the charge was brought forward with all due solemnity by a scholar, I think, of the name of Whitty, —one whom, in enumerating the ablest of the party opposed to us, I omitted before to mention. At the conclusion of his elaborate charge I rose to answer him, and having prepared myself for the occasion, delivered myself of a speech which amused exceedingly my auditors on both sides.

"Speaking as the friend of Doctor Trismegistus Rustifustius, I stated that immediately on receiving notice of this motion, I had waited on the Doctor himself to learn his feelings on the subject, and to take instructions as to the line he wished me to adopt in his defence. The description of my interview with this ideal personage, and the ludicrous message which I represented him to have sent by me to his critics and censors, excited roars of laughter throughout,—though not a trace of them now remains in my memory,—and I sat down amidst triumphant cheers. In proportion, however, as my own party was pleased with the result, they were in like degree doomed to be disappointed by the turn which the affair afterwards took. In order to do away with the effect of my speech, two or three of the gravest and most eloquent of the antagonist party rose in succession to answer me; and the first of them (who was, I rather think, Sargeant) began by saying in a complimentary strain, 'I well knew what we were to expect from that quarter; I was fully prepared for that ready display of wit and playfulness which has so much amused and diverted the attention of the Society from the serious, &c &c.' This tone of candour disposed me to listen to the speeches of my accusers with respect; and the solemn earnestness with which they pointed out the ill consequences of affording encouragement to such productions, by not only conferring upon them rewards, but even suffering them to remain as models on the Society's books, all fell with due weight upon my mind. Accordingly, in the few sentences which I spoke in reply, I freely acknowledged the serious impression which my accuser's words had made upon me, as well as the sincere pain I should feel at being thought capable of *deliberately* offending against those laws prescribed alike by good morals and good taste. I do not pretend to remember accurately the words which I used, but such was in substance their import; and though I disappointed not a little, by this concession, the more ardent spirits of my own faction, who had looked forward to a tough party struggle on

"ON THE DEATH OF MR. ROBERTS.

You ask, in mist of roses drest
When evening steals along the West,
When day is set and meeker red
On Dargle's glimmering hill is shed,
When sunbeam of a softer hue
Is idling in the mountain's blue,
When sigh of each departing gale
Scarce heaves along the closing vale,
Scarce whispers to the listening ear
That Contemplation's hour is near—
You ask me, friend, when then I stray
Muttering the while a pensive lay
O'er the dark steep where yew tree shade
Flings a brown horror through the glade,
While cypress pale around is seen
Twining its wreath of twilight green,
You ask, why then with step so slow,
With heart of anguish, eye of woe,
I move where yon drear Abbey rears
The wreck of many an hundred years,
Where gloomy cell and long drawn aisle
And gothic arch in mouldering pile
Present to melancholy's eye
A secret source of sympathy,
While stone with withering grass o'erspread
Bespeaks the mansion of the dead :
You ask why o'er yon rustic tomb
That glimmers through the gathering gloom,
I bend the knee—why to the skies
In sorrow floating raise mine eyes,
Why on the welkin's silver blaze
I pause in fixed and vacant gaze !
Mark ye yon slab with moss o'ergrown,
Yon simple slab—beneath that stone
There lies whate'er the poet's thought
In fancy's fairy loom has wrought,
The reasoning power, the soul of fire
Breathed o'er the chords of rapture's lyre,
Simplicity, with art combined
With friendship's heart, the head refined,
The thought of depth, with genius high

Beneath that humble stone doth lie—
All lie with him who lies so low
With him for whom we melt in woe,
All lie with Roberts—on that grave
Write Roberts—and write nothing save.
Whoe'er he be who wanders by
In that short word I ween will see
His epitaph and eulogy.—
When morn in orient lustre glows
Oft have I watched the opening rose :
So fair a flower—seemed fit to deck
The dimple in Aurora's cheek :
So fair a flower—seemed fit to vie
With roses of Aurora's sky :
But ah ! when o'er the crimsoned dell
The curtain mists of evening fell,
Returning to that guardian bower
Where laughed at morn the blooming flower,
The hue of death around was shed,
Down, down was sunk the weeping head
Encumbered with the dewy gem
It hung upon the moss grown stem—
The pride of morn at eve was fled
In one short day the rose was dead !
Alas ! e'en so, the fairest flower
That grew in academic bower,
That flower on which each rainbow tint
Of genius, nature did imprint,
For life's poor little morn could bloom—
At eve 'twas withered to the tomb !.....
Ye scenes of joy now past return
I cannot, would not, cease to mourn :
And though ye come with many a tear,
Ye scenes of recollection dear,
Though while ye float on memory's eye
My bosom heaves with many a sigh—
Yet sorrow's cup hath sentiment
Tempered with somewhat of content :
Yes, while the coldest tide of woe
Throbs through my heart in freezing flow,
Yet there's a warm sensation felt,
That bids the ice of sorrow melt.

'Tis true he's gone, and with him fled
 The many happy hours we led :
 And yet those happy days still seem
 To rise on recollection's dream—
 Ye dear illusions pause awhile
 And sad reality beguile....."

The Poem thus concludes :—

"Come cast one glance on Roberts' bier,
 On him on whose ecstatic tongue
 You oft in rapture's glance have hung,
 While melting o'er the yielding heart
 The accents fell with nature's art :
 Oh ! had he lived, well might I tell
 That he his country's sentinel,
 Bursting from 'mid our patriot band
 Had seized the trump with daring hand,
 With freedom's blast had roused the land,
 And burning with a virtuous rage
 Had crushed corruption in this pensioned age.
 Here patriotism, here talents lie,
 Come learn from this that you must die :
 For ever with the laurel twined
 The sable cypress wreath we find !
 Though youth may swell the silken sail
 That opes to reputation's gale
 On pleasure's stream, think, while you steer
 From week to month, from month to year,
 That stream will empty in the sea
 Of fathomless eternity."

While writing of Sheil as a Poet, we may state that another, celebrated afterwards as a successful votary of the Muses, joined the Society about this time ; we mean Charles Wolfe, the authorship of whose beautiful lines on the death of Sir John Moore was so long disputed ; lines that won from Byron the high commendation, that in his opinion "they were little inferior to the best which the present age has brought forth." "The feeling," writes Medwin, "with which he recited these admirable stanzas I shall never forget. After he had come to an end, he repeated the third, and said it was *perfect*, particularly the lines—

"But he lay, like a warrior taking his rest ;
 With his martial cloak around him."

While in the Society Mr. Wolfe obtained prizes for several pieces of composition ; however, as they have been already published, we need not here refer to them.

But we have not yet exhausted the list of Poets who adorned the Historical Society in this, its Second, Era.

Doctor John Anster, the translator of *Faust*, may likewise be reckoned among the number, and obtained several of the Society's medals for Composition. For one of these prize compositions entitled "An Ode to Fancy" we refer our readers to his volume of early poems entitled *Xaniola*.

On the elevation of Doctor Elrington to the Provostship the Society presented him with a congratulatory address, to which he replied in the most courteous terms, assuring them that he appreciated justly the value of those pursuits, to which the leisure their academic studies allow, is devoted by the Historical Society ; and that he should always feel happy to hear of their progress, and always be ready to promote their welfare. Expressions too soon to be forgotten in the heat of a dispute that terminated the existence of a Society in which he himself had won some of his earliest laurels, and received the warmest, and perhaps most sincere plaudits for success.

However, we will not anticipate this unfortunate dispute, but will turn aside to a subject that would apparently find no place here—we mean the glory and popularity conferred on all those who were fortunate enough to share in the splendid exploits of the Peninsular war.

Early in 1812 a Committee was formed to present an address to General Sir William Parker Carrol, who had served with great distinction as a field officer in the Spanish forces, and had been present at the battle of Albuera.

Having been a member of the Society, the occasion of a visit to his native land was seized, to congratulate him on his successful efforts in the cause of liberty in Spain. The Society's sentiments were conveyed to him in the following terms :—
—"Sir, The Historical Society conceive it due to the character of their Institution to express the high sense which they entertain of the exalted heroism, directed by the most splendid military capacity, which has been evinced in the person of one of their earliest and most distinguished members. They are aware that their congratulations can add but little to those which you have already received from every description of your countrymen ; they are sensible that they can contribute but in a

slight degree to increase the lustre of the success which has attended your efforts in the defence of the Peninsula, but they flatter themselves that in the unbiassed feelings of youthful enthusiasm you will experience the gratifying testimony of the ardour with which your exertions are acknowledged, and the disinterested emotions with which your successes are appreciated. Many of the most distinguished characters in the senate and at the Bar, have been indebted for their success to their early promise in the Historical Society, but it was reserved for you sir, (we feel it with pleasure, we acknowledge it with gratitude) to make this Institution the road to military preeminence, to render literary pursuits subservient to the noblest of purposes—the defence of our Country and the liberties of mankind. Accept, sir, in the name of the Society by which we are deputed, the warmest congratulations of the youthful heart. We feel confident that it will afford you relief amidst the hardships of war, that it will afford you support in the hour of battle, to be assured that in the seclusion of literary pursuits the youth of Ireland look to your exertions with the fondest anticipations of future triumphs; and while we indulge in the sincerest hopes that you will long continue to obtain the enthusiastic admiration of your Countrymen, we feel warranted in the fullest assurance that you will ever continue to deserve it. Signed—Carrol Watson, Chairman. W. B. Rutherford, J. W. Lendrick, N. Ball.” To this address General Carrol made the following reply:—“ Gentlemen—It is impossible that any language in my power to use can sufficiently express the happiness and pride I have felt at the receipt of the very flattering testimonial of esteem and good opinion which you so handsomely conveyed to me from the Historical Society of the University of Dublin. How often, in the active scenes in which it has been my lot to be engaged on the theatre of the world, has memory transported me to the spot whence this memorial of your kindness is dated. How often have I turned to the scenes of my early and happy youth there passed, to the companions who then shared with me in its pursuits and pleasures, and who, like me in journeying forward, have delighted to linger over scenes of intellectual pleasure and moral improvement, the traces of which are indelible on every heart. Judge then, Gentlemen, whether the esteem and kindness, expressed for me by those who have succeeded me in this early career, and whose future fame will doubtless far transcend that which I can ever hope to acquire, is not most dear to me

as a *man*—most precious to me as a *soldier*. It has been my lot, in common with thousands of my countrymen, to aid with my feeble arm a cause in which the oppressed have manfully struggled against the oppressor—in which the most honourable feelings of insulted humanity have warred on our side, and although the day of battle has not always terminated favourably to the wishes of the good and the energies of the brave—yet I am confident the time will arrive when the overthrow of the mighty hosts of the invader shall proclaim to the world that a people fighting in a righteous cause are themselves, in every character, estimable.

I have the honor to be, Gentlemen, your very obliged servant,
Wm. Parker Carrol."

General Carrol was not, however, the only officer who distinguished himself in the last war whom the Society could claim as a former member: General Ross, who was mortally wounded, whilst leading on the British troops against Baltimore, had also, in his College days, been a member of the Society.

The storm which had long been impending, burst over the Society on the re-assembling of the members after the long vacation of 1812. On this occasion the Board published a series of what they termed fundamental rules, which they commanded the Society to observe, and which excluded from the Society those gentlemen who had hitherto continued members, even though their names were no longer on the College books, until of Master's standing; and likewise imposed on the members a new obligation on entering the Society, which did away with that secrecy with regard to the private business of the Institution which had hitherto been uniformly enforced.

In an answer drawn up by a Committee of the Society, they, while acceding in the main to these rules, respectfully remonstrated against several of them, particularly the two above mentioned, as destructive to the Society and detrimental to its efficiency. To this the Board replied, that they saw no reason for withdrawing their regulations. Whether instigated by a wish to destroy the Society, and irritated by its remonstrances, as has been alleged, or really anxious for its welfare, and desirous that it should not, by breaking the rules that had been laid down, forfeit the good opinion of the Board, the Provost

(Doctor Elrington) appears to have been unusually profuse in his communications to the Society. In one of these communications he objected to several of the subjects chosen for debate, declaring that to discuss such subjects as the death of Charles I. or the assassination of Cæsar, might be productive of serious evils. To this the Society replied, by assuring the Provost that the debate on the questions of Cæsar and Charles turned upon the political expediency of the act as connected with the benefit to be derived by their respective countries: that their object in selecting these questions, far from being to weaken those sentiments of morality and loyalty which always distinguish and pervade their debates, was to add to them, if possible, still greater permanence and strength, by giving an opportunity of displaying the superior mass of argument that will ever be found to support the cause of morality. They likewise implored the Board to re-consider its decision as to the exclusion of those members whose names were no longer on the College books; for since they, who had hitherto, by their superior attainments and standing in College, maintained order during the debates, and presided at their opening and closing meetings, had been excluded from the Society, disorder had taken the place of propriety, and the competition for the honors of the Society being now objectless, since even those who had obtained them could stay no longer than others in the Society, had sensibly decreased. To this memorial the Board returned a verbal answer—that “they had determined not to comply with the request contained, &c.” But nothing daunted, the Society once more approached the Board with the reasonable request, that on the occasions of opening and closing the session with a speech from the chair, they might be allowed to select some one of the former members whose names were no longer on the College books, and that on these two occasions any one in academic costume, whose name was on the College books, might obtain admission to their meetings. Even to this modified demand the Board would not accede, replying that “the Board have read and considered the foregoing address and cannot accede to any of the requests contained in it.”

But we gladly escape from these topics of dispute and re-
crimination, to a letter from the Right Hon. Thomas Spring
Rice, now Lord Monteagle, which will show some consideration,
in the Sister Universities, for a Society which its natural pro-
tectors were apparently resolved to destroy.

"Dear Sir,

You will, I hope, excuse the trouble I give you in this letter, but my entire ignorance of any other channel of communication, and some idea of the probable utility of the object I have in view, must plead my excuse.

During the three very happy years I passed at Cambridge, I derived much gratification from the institution of a Society, bearing some resemblance to the Historical Society amongst you.

It was founded on the most liberal principles, and from among the 120 or 130 Members who composed it, I have become acquainted with some of those whose moral and intellectual qualities I most highly esteem. A similar Society (the Attic) exists at Oxford. Now as many amongst us, who most deeply felt the pleasures and advantages derived from our Society's meetings were consequently most interested in perpetuating them, an union has been formed between the Societies of Oxford and Cambridge, to institute a central one in London. A certificate of being a member of the former is sufficient to constitute a member of the latter, which is also to be augmented by ballot.—Such was our proposed plan when, at my suggestion, it was agreed that an invitation should be sent to the Historical Society of the University of Dublin to participate in the advantages of our Institution ;—I have been authorized to make this proposition known to my countrymen here, to many of whom I cannot but think its acceptance might be attended with considerable benefit. It would enable them to continue the connections and pursuits of their own collegiate life, while it opened to their acquaintance the members of the Sister Universities of England. In any case I cannot fear that the offer can be received otherwise than as it is intended, as a sincere mark of respect for the liberal course of education pursued in the College of Dublin, and as a token of esteem for the abilities that adorn it.

I have the honor to be, &c., &c.

THOMAS SPRING RICE."

Mr. Wolfe was appointed to close the Winter Session of 1814 with a speech from the chair, for which he was unanimously voted a gold medal by the Society. But we refer our readers to the edition of his works, edited by Archdeacon Russell, for the poems for which he obtained prizes in the Society, and for a

copy of this speech. About the same time Mr. Anster received gratifying evidence of the appreciation which his juvenile attempts at Poetry obtained from his fellow students and companions in the Society; he having been unanimously requested to publish his poems, and the speech he had delivered from the chair.

But the fate which had so long been impending over the Society was to be delayed no longer. Taking advantage of a personal dispute between two of the Members, the Board published a series of regulations, which, among other alterations, directed—That a Committee of five should be appointed, in whose hands the entire management of the private business of the Society should rest. The hours for their meetings were also limited, and above all, in importance to the Society, the entire junior sophister class were excluded from entering it. To these regulations the Society remonstrated, through the Committee which had just been appointed by order of the Board, pointing out that the exclusion of junior sophisters would lead to the speedy annihilation of their Society: that their expenses were so great, that if the supply hitherto gained by the admission fees of so many members of the junior sophister class were withdrawn, nothing could be expected but speedy bankruptcy; that as no member could continue such after his name had been removed from the College books, if none under the standing of senior sophisters were admitted, the students would refuse to pay admission fees, and their subscriptions, for merely one year's enjoyment of the advantages held out to them by the Society; and finally they implored the Board to reconsider their enactment of 1812, which excluded their senior members from the moment of the withdrawal of their names from the College books, and which they alleged was the cause of all the complaints made against the Society for irregularity,—complaints which the Board made the pretext for even more severe regulations. The Committee proceeded to lay before the Board what they conceived would be the consequence of the formation of a Committee of five to transact all their private business; declaring that while the order for the exclusion of the junior sophisters would lop off an important and essential branch, which contained within it the rudiments of its future existence, the order now under consideration would lay the axe to the root of their Institution: that none would enter the Society to be under the absolute and unaccountable control of any limited number of their fellow

students, who would ever be liable to the imputation of favoritism, and ever bear an invidious character among the members of the Society. In conclusion, they apologise if they have expressed themselves strongly on any of the subjects alluded to, prompted as they have been, in their remonstrances, as much out of regard for the College at large as for their Society : a Society which had reflected upon the College some share of the reputation and character it had acquired for itself : a reputation proved by the invitation sent from similar Institutions in the Sister Universities to unite and form a central Society in the metropolis of the empire. A Society, the destruction of which would affect, in public opinion, not merely the character of the individuals composing it, but also, possibly, that of the body which had so long been looked upon as its natural guardian and protector.

To this address of the Committee the Provost answered, that by private business is meant all such as related to the conduct of individuals in the Historical Society.

After the delivery of this message the members of the Committee, with the exception of Mr. Graves, the chairman, gave notice that they severally withdrew from it. Mr. Hamilton, one of the members who had first withdrawn from the Committee, upon this moved, that the regular business be suspended for the purpose of taking into consideration the present state of the Society, which motion was unanimously carried.

He then moved, "That a Committee of seven be appointed for the purpose of resigning into the custody of the Provost and Board, the rooms hitherto appropriated to the use of the Historical Society, the late regulations of the Board being, in the opinion of the Society, inconsistent with the successful prosecution of the objects for which it was instituted ; and that this Committee be empowered and directed to take such steps, as to them may appear most effectual, for the securing the property of the Society, until a favourable opportunity occurs for the revival of an Institution, the utility of which the experience of twenty years has most satisfactorily evinced." This motion gave rise to a long and stormy debate, the affirmative side being taken by Messrs. Hamilton and O'Sullivan, and the negative by Mr. Graves. On a division being called, 50 members voted on the affirmative, and 14 on the negative side of the question. The Society then adjourned, *sine die*.

And thus closed the career of the Historical Society, that

from the College days of the great Edmund Burke, had held out a fostering hand to the dawning intellect, and cheered on with applause the growing efforts of almost all those whose names are inscribed on the column of their country's history. The halo of such names as Burke, and Grattan, and Plunket, and Bushe, failed to preserve the Society from the repeated assaults of that body which might have been expected to have been its warmest supporters, and the members of the Board unhappily succeeded in bringing to a successful issue their determined hostility to a Society to which every one of them had once owed allegiance, from which they had each received the encouragement and support so necessary to the first efforts of the orator or writer!

It has been asked, can a Society exist in a University whilst freedom of discussion is its object, and the result a certain independence of action and thought. The fate that twice overtook the Historical Society is pointed out as a proof in the negative.

But we do not think that those who are themselves the guides of youth in the pursuit of knowledge, the appointed guardians of learning, must necessarily be opposed to such an Institution. Rather let us suppose that such hostility resulted from misrepresentation, that such constant interference with the affairs of the Society resulted from an overweening care for its welfare. Anything, rather than imagine that, for a paltry breach of etiquette, or a private and insignificant dispute between its members, the Society should incur the hostility of the authorities of the University, and that its destruction could alone atone for the offence. We sincerely hope that the Society which at present occupies the position twice vacated by its predecessors, may never incur a like hostility from its natural guardians; that it never may be again in the power of the enemies of the University to point to the acts of her Governors as partaking, not of the liberality and enlightenment of the nineteenth century, but of the obstructive folly of the middle ages.

Before concluding this sketch of the Historical Society, it may be well to notice a few of the objections that have been brought against such Institutions, by some whose authority must carry considerable weight in whatever opinion they may hold,—foremost amongst whom is the present Archbishop of Dublin. To begin with the first of

his Grace's objections—he objects to the discussing, extemporaneously, subjects of such importance and intricacy as the speaker cannot be expected to be at all master of. Now in reply to this objection we state, that the speeches, as a rule, and an almost universal one, are not made extemporaneously.

The speakers appointed for a given subject have generally from three weeks, to a month, to prepare that subject: and as having ourselves belonged to the Society we can testify, from personal experience, that, with the exception of the right of reply allowed to the gentleman who opens the debate on the affirmative side, every speech delivered in the Society, during the term of our acquaintance with it, had been previously prepared, and that too, very generally, at the expense of a considerable amount of study. And if the very words with which the speech is clothed on its delivery have not been committed to memory, we humbly conceive that that is a very considerable advantage, as being more likely to impress the hearers than if they could perceive that the entire was merely repeated as the parrot repeats its lesson; and also as being much better practice, both in putting together, in a clear and intelligible form, the information already acquired, and in giving additional confidence on being called on, in the more serious scenes of life, to address the public.

Again, the Archbishop declares that in the proceedings of Debating Societies a complete anomaly is presented: that in the course of instruction pursued by the tutors in any well regulated College, it would never be attempted to set a young man to calculate the orbit of a comet before he has mastered the first book of Euclid, or to compose a disquisition on a disputed passage in a chorus of *Æschylus* before he is acquainted with the Greek declensions and conjugations. Now, as has been well remarked in the Historical Society, the student *does* begin at the beginning. For is he not doing so, when, instead of appearing unprepared, as far as regards oratory, in the pulpit or in a court of justice, thereby perhaps damaging the most important of all subjects by his want of skill, and the confusion consequent on being placed in a novel and trying position; or losing, by his inexperience, the cause of his client, and shutting himself out thereby from those prospects of advancement that might have opened upon him, had his first efforts been unsuccessful, he begins before an auditory with whom

failure will be treated with forbearance, where success will receive its full meed of applause, and where, by a gradual progress from the first confused and hesitating efforts, he will have arrived, by the time he leaves the Society for the more important business of life, at such a proficiency and confidence in himself, as will not allow the cause he is called upon to plead, to suffer by his want of experience. Besides, it must be remembered, that these exercises are merely supplementary, and that the members are not allowed, while prosecuting them, to neglect the various branches of learning which the College course prescribes; that while discussing the subjects appointed for debate they need not have neglected the sciences, they need not have been less attentive to any branch of education which may have been appointed by their instructors.

But our limits, already we fear overpassed, warn us to trespass no longer on our reader's patience. Before concluding, however, there is one assertion which his Grace has made, and to which we must refer. He declares that a system which he advocates "tends to form accurate reasoners, able statesmen, sound divines, good lawyers: the other, showy demagogues, popular preachers to ignorant fanatics, and pleaders qualified for appealing to the passions of illiterate jurymen." Now, without going beyond the limits of the Historical Society, will his Grace call such men as his distinguished predecessor, Archbishop Magee—Dean Graves—or the many other divines whose names have been mentioned in the preceding pages, mere popular preachers to ignorant fanatics? Will he persist in terming Curran, Plunket, or Bushe, as but pleaders qualified for appealing to the passions of illiterate jurymen? It was by painful practice in a Debating Society, after having been laughed down for his action and mode of delivery, that Curran at last educated himself so as to become one of Ireland's greatest orators. It was while addressing the Historical Society that Bushe earned from Grattan the praise—"that he spoke with the lips of an angel." With such names as these on our side, to which we may add those of Burke, and Yelverton, and Grattan, and Moore, and Croker, and Sheil, with a host of others, a few only of whose names we have recorded—with such names, we repeat, on our side, we appeal from the dictum of his Grace, and with all deference for his high authority and great talents we ask, has the only result of the Historical Society been to produce

showy declaimers, agitating demagogues, popular preachers to ignorant fanatics, and pleaders qualified for appealing to the passions of illiterate jurymen ?

ART. III.—JOHN BANIM.

PART. II.

RESTORED HEALTH. LIFE IN KILKENNY. REMOVAL TO DUBLIN. ABANDONMENT OF ART, AND ADOPTION OF LITERATURE AS A PROFESSION. LIFE IN DUBLIN. LETTERS. OBTAINS CHARTER FOR ROYAL IRISH ACADEMY, AND IS THANKED BY VOTE OF IRISH ARTISTS. LETTERS. PUBLISHES "THE CELT'S PARADISE," AND DEDICATES IT TO THE LATE LORD CLONCUREY. EXTRACTS. CONTEMPLATES REMOVING TO LONDON. LETTERS. PLAY OF "DAMON AND PYTHIAS" ACTED AT COVENT GARDEN : ITS SUCCESS. EXTRACTS. LETTERS. VISIT TO KILKENNY AFTER FIRST LITERARY SUCCESS. FIRST IDEA OF NOVEL WRITING. PUBLISHES PAMPHLET ON THE ERECTION OF A TESTIMONIAL COMMEMORATIVE OF VISIT OF GEORGE IV. TO IRELAND. EXTRACTS. LETTERS.

In the first part of this Biography of John Banim,* we traced his life history from his birth, in 1798, to the unhappy conclusion of his melancholy first love, in 1817.

The Christmas of 1818 had passed before his health apparently recovered the shock which it had received, during the days and nights of anguish and exposure endured, whilst he watched by the death bed, and by the grave, of Anne D——. We have written "apparently recovered," for, in fact, the results of that woful time were the evils of his after years, and ended but with his life.

With returning health came all the buoyant spirit of youth and hope, and Banim entered into all the pleasures and con-

* See Irish Quarterly Review, Vol. IV. No. 14, p. 270. Art. "John Banim."

vivialities of his native town. Those who can remember what country towns in Ireland were, about six and thirty years ago, will understand the dangerous position in which these tastes and connexions placed him who exhibited ability, and social powers, of even a lesser degree than those of Banim. He formed no low, or mean, or vulgar acquaintances; but, in the round of pleasure which formed his chief solace, he found himself the companion of those who were his superiors in birth and fortune. They were not drunkards,—but they loved the midnight meeting around the supper table: as the glasses twinkled the fancy grew bright; quips and drollery gave a fascinating charm to each, for each—and Banim might truly apply to himself a passage of Charles Lamb's,—“We dealt about the wit, or what passes for it after midnight, jovially. Of the quality called fancy, I certainly possessed a larger share than my companions,”—and thus he became careless of tuitions, and all but neglected his duty to the few Schools and pupils who still continued to employ him. Debts now began to accumulate; credit failed,—and Banim, disgusted by his course of life, resolved, after a very few months' experience of its evils, to abandon all its temptations and false pleasures. This was not difficult; at all periods of his existence he was temperate, and in joining the convivial parties of his fellow townsmen, he sought only a relief, in society, from the pains of memory and the woes of solitude.

Although inattentive in these times, to professional engagements, he had not been completely idle: he had painted a few portraits, and had become a contributor to a local newspaper—*The Leinster Gazette*, of which he became the editor. This latter employment he considered a very important one, as it was a walk, however humble, of the great path of literature. It gave him, he thought, a position as a literary character; and indeed he is not the first distinguished man whose genius developed itself in the columns of a provincial journal. Debts and difficulties, however, gathered around him, and, with many another man, he found that small, like great, “pleasant vices,” entail long, painful, and harassing repentant regrets. Insignificant as his debts were, in amount, they formed a terrible obstacle to the peaceful pursuit of his profession. He had begun to lament his five months of dissipation; he was then, and ever, sensitive in regard to money matters, and thus he became morbidly eager in his anxiety to discharge every monetary claim against him.

With restored health he had recovered his courage and love of literature. He believed that as an artist he could not succeed, unless he devoted time to perfecting his taste and skill, and time he was not satisfied to spend in the acquisition. He had pleased himself by his literary efforts, published in the local journal, and he fancied that by other, and better considered labors, he could please the world of readers. He was not formed by nature to lag, or hesitate, when he had once formed a project: he determined to abandon the profession of an artist for that of an author. It was a poor chance, in truth; but when did genius or courage—and what is genius but the noblest courage?—doubt? and Banim resolved to leave Kilkenny, and try his fortune in Dublin. He knew that great difficulties should be overcome before his merit could be appreciated, or even known: he possessed few friends in the city, and they were chiefly amongst the artists, the late Thomas J. Mulvany being the most remarkable, and most likely to aid him. But these considerations were unheeded. He wished to be out in the great world, amongst the clash and jarring of minds and interests, where the strong bold will, and the ready mind, or the flashing wit could win golden fame, and hold it safe and surely. He longed to be away from the scenes of his lost hopes, his past-by joys, his present sorrows, and he would dare, or seek difficulties, that he might find a greater glory in their surmounting; thus resembling that bright image of young genius, as Virgil has described it in the character of Ascanius—

“Optat apruma, aut fulvum descendere monte leonem.”

Early in the year 1820, Banim left his father's house for Dublin, and from this period we may date his life as a literary man. Mulvany had known him, whilst he was a pupil in the School of Art, of the Royal Dublin Society, in the year 1813, and now received him kindly, and aided him by his counsel and interest.

At this time the Dublin artists were endeavouring to obtain a Charter of Incorporation, and a Government grant in aid of the profession in Ireland. Banim loved the old memories of his art pupilage, and he gave all the assistance in his power to strengthen the claims and demands of its Irish members. At the period of which we write, reporting for the public journals was not so highly valued as at present; whilst “Leaders,” and their writers, were much more important than in our day. Banim had become a contributor to two or three of the more important

papers, and he was thus enabled to serve the interests of his former professional brethren, through his position on the newspaper Press. His services were not denied by the artists, and when, in the year 1820, the Charter of Incorporation was obtained, they presented him an address, and a considerable sum of money, as a testimony of their appreciation of his successful efforts to support their interests, and the advancement of Art in Ireland.

His life in Dublin was a hard and disheartening struggle with disappointments, and his wants were many, and yet such as make the poor proud man of genius, who would be successful, a silent, long-suffering martyr. The debts contracted during his wild days in Kilkenny were a source of anxiety from which he could not easily escape. He was ever anxious to repay this money; and, as we shall hereafter find, he set aside the first sums received from the publishers to defray these charges. The debts, and the thought of the times in which they were contracted, ever haunted his memory, as relics of a period of awful agony and disappointment. But this desire to forget the past extended but to that painful epoch of his unhappy love; whilst the thought of home, the true-hearted affection for all who dwelt there, were as bright and pure as in the days of his residence in Phibsborough, when a student in the art school of the Royal Dublin Society. He loved ever, and always, the scenes of childhood's joys and sorrows; and when he had been some months in Dublin, we find that he thus wrote to his brother, describing his feelings for home:—

“ Dublin, May 10th, 1820.

My dear Michael,

The health that I enjoy is wonderful to myself—do not be so fearful on my account.—You that stay at home, and are very happy, have many superfluous apprehensions about a younger son or brother, who roves about a little.—Be assured of this, my dear and only friends, almost the sole thing that sends the blood to my heart, or the tear to my eye, is the recollection now and then, that I am parted from you—but this gives me greater strength for the struggle to get back, and back I will return, if God spares me life, and we will spend and end our days together.”

He had, about the date of this letter, begun to think that he

possessed sufficient ability to enable him to work his way in the great world of London. He had found that Dublin gives but small hope to him who depends on literature, alone, as the means of support ; and though his friend Mulvany, and the late Joseph Kirk, were willing to aid him in all his prospective successes, he was dissatisfied with himself, and with his position. He was a poor man, but, like Griffin, a bold, daring one, who would not wait upon fortune, as a suitor. He told his brother, Michael, that he had determined to seek his bread in London. Michael remonstrated ; reminding him that many men of greater talent and experience than he possessed had gone to the wonderful city, and launched upon its vast troubled sea the ventures of their lives, and that wreck and ruin had been their fate, after weary struggles of unavailing energy, and of unflagging, patient, mental toil.

But the brave heart, self reliant and conscious, would not doubt of success, and but rested until means could be secured to defray the expenses of the journey and outfit. When that true genius, Chatterton, wrote home to his only friend—his mother, that, “by abstinence and perseverance, a man may accomplish whatever he pleases ;” when great Samuel Johnson came up to town, and learned, gratefully, from the Irish artist—whom he has called *Ofellus*, in his *Art of Living in London*—how to exist respectably on ten pence a day ; when poor Gerald Griffin, pure, bright soul of genius, went forth a boy, to gain the fame for which his breast so panted, not he, not any one of these, felt more deeply or more truly the whole-heart devotion to literature than did Banim, when writing the following letter, in reply to his brother’s cautions and warnings. We read, in the whole range of literary Biography, and God knows it is sad enough, even without the terrible roll of agonies, which Isaac Disraeli has collected in that martyrology of genius—*The Calamities of Authors*, nothing more pathetic than these words, in the succeeding letter, “I know not how long I could fast : even that I may be called on to try. I have been the best part of two days without tasting food of late ;”—and then comes the grim addition—“often have I gone to whistle for my dinner.” And this is the man who having achieved fame, by his now exertions, has but now had a memorial in his native town, and whose life history was, until we procured it, unknown.

The letter to which we have last referred is as follows :—

"Dublin, May 18, 1820.

My dear Michael,

You speak very gloomily on the uncertainty of my means if I go to London.—Don't let your fears affect you so keenly.—I have not found a crock of gold—nor has a prize in the lottery turned up for me. But with heaven's help I shall not want means. No man of ordinary talents wants them in London—with proper conduct and half the introductions I hold. Say I possess no talent—this you will not say: it would not be what you feel. I have a consciousness of possessing some powers; and situated as I am, it is not vanity to say so. I have health, hope, energy and good humour, and I trust in the Lord God for the rest.

I know not how long I could fast: even this I may be called on to try. I have been the best part of two days without tasting food of late. Often have I gone to whistle for my dinner; and once I walked about the town during the night for the want of a bed. I see you start at this. I can assure you, without affectation, it has amused me, and I thrive on it. I am fatter, and better looking than when you saw me. At the present time, I am comparatively rich, and go as high as ten pence for my dinner, and a goodly plate of beef and vegetables it is."

This sad letter is but the plain statement of Banim's condition in the early period of his connection with the Dublin press. In addition to his employments upon the metropolitan journals, he obtained some slight assistance to his funds from occasional contributions to the provincial papers. He wrote some very clever, but ephemeral, articles for a now forgotten paper—*The Limerick Evening Post*. These contributions were on all subjects of the day, particularly theatrical topics, and bore the signature—*A Traveller*.

Amidst the toiling of his every day life the old love for poetry, and poetical composition, was ardent and true as in the time when he aspired to be the "brother poet" of Moore; and he devoted his leisure hours to the composition and construction of poems and dramas. He had been introduced to Charles Philips, at that period a man of note, and of rising fame in Ireland. Philips had just published his poem, *The Emerald Isle*, and his *Specimens of Irish Eloquence*; and having obtained for himself the reputation of taste and ability, was willing to assist, by his counsel and interest, any worthy literary man who

needed either. He found in Banim a young, ardent genius; he examined some of his poetical compositions; he advised, and suggested, and his wishes were acceded to most cheerfully and readily. By Philips' advice Banim abandoned, for a time, his proposed removal to London, and applied himself closely to the completion of a poem which he had commenced, and which he called *Ossian's Paradise*. Philips showed some portions of the poem to Sheil, and to Mr. William Curran, * and the latter gentleman, having read some passages to the late Lord Cloncurry, his Lordship expressed his willingness, in accordance with Banim's request, to accept the dedication of the work. These, however, were not the only personages who expressed opinions favorable to Banim's ability. The manuscript was shown to Sir Walter, who, with his never failing kindness to young authors, read the extracts submitted to him, and expressed his approbation of the composition.

Thus, at length, Banim seemed about to achieve that position in Literature for which he longed, as eagerly as he who cried—

“ For Poesy my heart and pulses beat,
For Poesy my blood runs red and fleet,
As Moses serpent the Egyptians' swallow'd,
One passion eats the rest.”

His life was now full of hope, and he thus wrote to his father :—

“ *Dublin, October 12, 1820.*

My dear Father,

When difficulties pressed most on me, I determined to wage war with them manfully.—I called on my own mind, and put its friendship for me to the proof.—In the midst of occasionally using my pencil, of newspaper scribbling and reporting, and surrounded by privation, and almost every evil but bad health, I manufactured some hundreds of verses, with notes appending, which I called—‘ *Ossian's Paradise*.’

I handed *Ossian's Paradise* to a friend, an eminent poet, a celebrated orator and lawyer.—He shewed it to a friend of his, a Mr. C——n, who introduced it to Lord Cloncurry—it pleased both.—It was subsequently submitted to the greatest writer of the day—Scott—his judgment was :—‘ It is a poem possessing imagination in a high degree, often much beauty of language, with a considerable command of numbers and metre’—This

* Now Ex-Commissioner of Insolvents.

opinion was accompanied by a candid criticism on particular portions, with a view to its success when published.

Ossian's Paradise is to be published by Mr. Warren, of Bond-street, London. I am to receive £20 within a month, with fifty copies to dispose of on my own account. If it runs to a second edition, £10 more—these terms my friend before mentioned, Mr. Shiel, thinks advantageous.

My dear Father, do not blame me for not communicating this matter in its progress. I will explain my motive. My failures hitherto, had given to all of you at home, quite enough of uneasiness, and I wished to have a rational probability of success in view, before I should excite your interest : if I had failed, I had determined to be silent on the affair to you, my mother and Michael, and to all the world besides.

Do me the favour, my dear sir, of requesting Michael to read this letter for my old schoolmaster, Mr. Buchanan,* and fill your glass in the evening to the success of Ossian's Paradise, when you three are seated round the little octagon table in your own sanctum sanctorum.—And my own dearest mother—perhaps she may have cause to think more respectably than was her wont of my rhyming propensities.”

These were the real truths of his position and hopes, and to some cautions of his brother, Michael, against indulging in too sanguine expectations of success, he thus replies:—

“*Dublin, October 17th, 1820.*

My dear Brother,

I am not erecting a structure on the doubtful success of Ossian's Paradise.

The panting desire for fame is corrected, I will not say extinguished in me—I have before now allowed the vivacity of hope, or the restlessness of suspense, to torture and distract me—but this shall not be again. I have held out my hand to grasp my object over and over—I have never yet touched it.—Disappointment with me became as systematically attendant on exertion, as shadow upon substance ; so much so, that I could not get a glimpse of the one without looking hard for the other—so I will not reckon on success, in this instance, before hand.

I will tell you what I intend doing—I am strongly encouraged by persons whose judgment I ought to respect, to prepare a second poem :—I regard the present as an opportunity not to

* See Part I. of this Biography, for an account of Buchanan, in *Irish Quarterly Review*, Vol. IV. No. 14, p. 275, 278.

be neglected, and I am, and will continue to be, at work accordingly. Of course I give up for the present my journey to London.

While I occupy myself with this second poem, I have to make out £1 per week—every shilling of Ossian's money being destined to liquidate my debts, as far as it will go."

The reply to this letter was satisfactory; and he thus explains why he has resolved to become an author, and why he has selected Literature as a means of placing himself in a position of comparative independence—at least of his creditors:—

" Dublin, October 27th, 1820.

My dear Michael,

You are quite right in supposing I do not calculate at present with a view to the remote future—in fact, my dear brother, you will see I cannot do so. My only speculation just now, is, and ought to be, the payment of the last shilling I owe, and this must be done by any means that are the readiest, and are honourable.—But what are the readiest means? I see none, I am unconscious of any other within my reach, but the pen. This may be a fallacious assistant; most probably so. But I am rationally encouraged, so far at least as to make indifference to the opportunity criminal."

Like Hazlitt, Banim had now finally, at the prompting of genius, relinquished the brush for the pen, and some months before Ossian's *Paradise* appeared, he commenced the composition of a second poem. With the old love of home still, as ever, around his heart, he thus writes to his father, and the mingling of poetry and clothes reminds one of Moore's early London Letters. He writes:—

" Dublin, November 30, 1820.

My dear Father,

I am employed for another, and larger, work, which in case of the success of the present, Mr Warren promises to give me a fair price for.—I am not flattered into any thing like sanguine hope. I will continue to do my best; if I succeed I will thank God—if I fail it may be for the better, and I will thank him then also.

In remembering me to my dearest mother and to Joanna, say that I thank them for their present; they have knitted me a fine lot of stockings indeed, they fit me excellently well, and to all appearance they are everlasting."

He had, whilst dwelling in his country home, formed the usual ideal of a poet, and fancied that genius was all inspiration, that poetry sprang up, spontaneous, from the brain, requiring little care or culture. His ideal had been the conventional one of those who contribute to the "Poet's Corner" of provincial newspapers; but, a few months spent in the world, and amongst books, taught him that poetry, like every other pursuit of mankind, requires patient, thoughtful application; and that he who would

"fling a poem, like a comet, out,"

must be careful lest his planet flame but as a fire-work meteor. We shall, hereafter, find how anxiously he had considered the materials by which a novel can, and should be formed: in the following letter he half gravely, half humorously, describes the qualities requisite to constitute the Poet and the Philosopher. The letter is addressed to Michael Banim:—

"Dublin, December 28, 1820.

My dear Michael,

Poetry is a different thing altogether from what I considered it to be some time ago. A good poem is not the fire flash of inspiration—it is rather the steady sober light of a large pile of solid, inflammable materials, first collected with choice and patience, and then fired with a steady and skilful hand.—From what you recollect of my verbose effusions, you will judge how little I knew of the craft.

You confound the Poet and the Philosopher—they are different beings:—

Receipt to Make a Philosopher.

To make a Philosopher, take a subdued and austere understanding,—a knowledge of all the theories and facts on all the subjects, things, systems, matters and essences, in the world, and over, and under, and round about the world,—in the body of man,—in the mind, soul, spirit and heart of man,—in his brain, and in his motions, actions and formations,—of all compounds, simples, and intelligences, in the air, sky, and space above the earth, and in the waters under the earth, and in the eternities above the air, sky and space, or below the waters.

Take a consummate and intimate acquaintance with all the histories of all the nations, that have even existed and do exist—of all the languages ever spoken by man, in every age

and nation—accompany these mere acquirements, with an understanding prepared to appreciate; a judgment capable of enumerating, arranging, comparing, discriminating, combining, separating, and deducing.—To generate and mature your accompaniments, keep the mind, for God knows how long before, exclusively exercised, in the most rigid, practical, and matter of fact habits, and this done you have your Philosopher.

Now for

A Receipt to Make a Poet.

Let the mind, by early practice and associations attain, first, a quick susceptibility of the beauties of nature, in her material works, and in her immaterial complex operations; in the heart and passions of man, as produced by extrinsic circumstances. Keep the fancy and imagination always up, always ready to be fixed by the slightest touch from a beautiful scene, a pathetic expression of feeling, an impressive situation, an heroic character, or a romantic association.—Let the individual in preparation feel strongly that trees, rocks, flowers, and sky, and water are beautiful—but you need not teach him why, and by what combined operations, and remote contingencies, they are so.—Let him feel the effect; be not anxious he should understand the cause.—Thus qualified to receive his assorted materials, next cultivate his taste, on the best poetical models; thus he may learn how to select, refuse, and combine.—After this initiate him into a thorough knowledge of rhetoric, that he may acquire the simplest and shortest way of expressing his feelings.—All this done, shake him well, and continue to shake him, that the proper ferment and excitation may always be kept up.—And here is your Poet.

N.B.—If you give him his meals regularly he will become indolent and dull.

If the understanding be exclusively cultivated, can the imagination soar? The poet and the philosopher are necessarily dissimilar, creatures.—Perhaps a little, only a little, of the one mingled with the composition of the other, might make both of them the more perfect.—In building his structure, the philosopher must use the square and compass, the proper order of architecture must be observed throughout,—and from the quoin stone to the pinnacle, every thing must be uniform, and solid, and infrangible.—

With the poet originality must stand for method ; diversity for order.—And throughout the whole of his fairy palace, inside and outside, the line of beauty must play and curve, with easy and unaffected grace and vivacity.”

Our poet was now happy in his rational hope of success ; the poem, however, did not appear until the month of February, 1821. Some short time previous to the period of its publication, Banim by, we believe, Sheil's advice, altered the proposed title from *Ossian's Paradise* to *The Celt's Paradise*, and under the latter title the poem was issued. The dedication was as follows:—"To the Right Hon. Lord Cloncurry, as a small Tribute of the Author's Admiration of his Lordship's Public Spirit and Love of Country, the following Poem is most Respectfully Inscribed.”

This poem is now all but unknown, and a copy is rarely to be found, even at the book-stands or literary auctions. Yet it possesses passages of considerable poetic vigor, and of great beauty. *Saint Patrick* and *Ossian*, the Bard, are represented as discoursing chiefly on subjects of Irish mythology, and the latter thus describes the Celt's Paradise :—

Man of prayers, I wish not
The raptures of thy cloudless lot.
Enjoy thy heaven. I know where lies
Old Ossian's only Paradise !
'Tis with the beautiful and brave
Beyond the wild and wailing wave
Of this cold world. The summer there
Is cloudless, calm, and ever fair.
I saw it once ! my waking blood
At that one thought rolls back the flood
Of age and sorrow, and swells up
Like old wine sparkling o'er its cup.
I'll tell thee of the time I spent
Beneath that cloudless firmament,
And thou shalt judge if aught could be
So pure a Paradise to me,

If by my own frail spirit led
Its smile I had not forfeited.
Give me the old Clarshech I hung
On my loved tree, so long unstrung,
E'en to its master's measure free,
It may refuse its minstrelsy :
But give it—and the song tho' cold
May kindle at a thought of old,
Of younger days—and now and then
It may be strong and bright again.
Hear a song of age's daring,
The sighings of the harp of Erin !
Waken thou, the warbler of the West,
Waken from thy long, long rest !

In this Paradise the highest place is thus assigned to the patriot, and patriot poet :—

All were happy ; but some felt
A hollier joy, and others dwelt
In higher glory. I saw one
Who, for the good deeds he had done,
On earth, was here a worshipped king,
Triumphant o'er all suffering.
On the utmost verge of his own shore,
One foot amid the breakers' roar,
Another on the rocky strand,
He met the invading foe,—his hand
Grasped its good sword : he was alone
And they were thousands ; and when flown
His strength at last, he could but throw
Between his country and the foe
His heart,—and, thor' it, bid them smite
At her's.

He fell, but in the light
Of Paradise the hero's deed
Found fittest eulogy and meed ;
The gaping death-gash on his side
Was turned to glory ; far and wide,
As a bright star, it beamed ; and he
Walked on in immortality,
Worshipped and wondered at : the brave,
Unconscious, to his virtue gave
Honour and fame and praise,—the old
Blessed him as he passed by, and told
His name in reverence ;

And thousands rushed,
Forgetful of themselves, to gaze,
And give, in looking, their heart's praise
To him, of heroes the highest and best,

Whose death-wound was turned to a star
on his breast.

With him walked one in converse high,
Music and song

At his birth informed his tongue,
And fired his soul, and with them came
The throb for freedom; but the name
Of his own land had passed away,
And fettered amid her waves she lay,
Like a strong man on his hill,—the bard
In all her breezes only heard
The sigh of her past fame,—no strain
Rose o'er her desolated plain
To mourn her glories gone, or call
The blush of shame for her early fall
Up to her cold destroyer's cheek,
Or on his heart in thunders break,
But the bard caught up his harp, and
woke

HIS COUNTRY'S SONG! and as it broke
Forth in its pride, unmoved he met
From despot tongues their chide or threat,
Their lordly frown or luring smile,
That strove to silence, or beguile
To silence, a song so high and bold,
So true and fearless; for it told

Her tale in every strain! The wrong
And outrage she had suffered long
Went forth among the nations; till
The eyes of men began to fill
With sorrow for her sorrows, and
Even in that cold and careless land
That wrought her woe, one manly sigh
Was heard at last in sympathy
With all her sufferings; and for this
Thro' our world of light and bliss
He walked immortal, side by side
With him, the hero, who had died
The highest death a man can die
For his native land and her liberty!
And equal reverence to the bard
All creatures gave; and his reward
Was equal glory,—a blessed song
Went with them as they passed along;
It was over and round them on their way,
And ever it said through the cloudless day,
"Joy to the hero who dared and died
For his country's honour, and fame, and
pride;
And joy to the bard whose song brought
fame
And pride to his fallen country's name!"

The Celt's Paradise has its Eve, a thing of aerial beauty "who mov'd in light of her own making." Had *The Loves of the Angels*, or *Heaven and Earth*, been published before the appearance of Banim's poem he could not escape the charge of plagiarism, but as *The Celt's Paradise* was issued some months before these works, the coincidence is less striking than that which so plainly appears between these two fine compositions.

Ossian thus describes the first appearance of the fair spirit:—

I sat in the tall tree's trembling shade,
And the moss of its trunk my pillow made.
My eyes could not their watching keep,
My soul was sinking in its sleep,
And wild and wavering thoughts came on,
Of deeds imagined, actions done,
And vain hopes mingling with the true,
And real things a man may do.
A sigh came o'er me soft and warm!
I started—but nor shade nor form,
Appeared thro' half-seen gloom around,
To utter such a silver sound.
It might be the sob of the summer air,
Which glowed so rich and sultry there—
Again I slumbered—again the sigh
Of woman's fondness fluttered nigh—
And while I listened, gentle lips,
Gently met mine—and, touched, and
trembled,—

As if beneath the moon's eclipse
Alone, love's feeling long dissembled,
Might dare to own in bashful kisses,
Its maiden flame and modest blisses.
Fondly I raised my arms and prest,—
They closed upon my lonely breast.
Back from their kiss the young lips started,
Sighed one rich sigh—and touched and
parted—
I thought of the huntress young and fair,
Whose gifted glance had left me there,
And I said in the strength of my young
heart's sigh,
While the tear of passion brimmed mine
eye,—
"Lady of Kisses!—Lip of love!—
From the air around or sky above,
Come and bless my desolate arms
With the richness of thy charms."

The charms of his spirit-mistress are thus described, but she seems to possess too largely the graces of a houri:—

And shining and soft was her virgin form,
In full blown beauty wild and warm!
I know not if aught of earthly blood,
Mingled with the magic flood,
That fed her veins—but you might see
A rich vein wandering sportively,

Beneath the bright transparent skin,
That kept it's sparkling essence in.
'Twas an earthly shape but polish'd too high
For an earthly touch or an earthly eye—
'Twas an earthly shape!—What else could be
Moulded or made to rapture me?

What other form could loveliness take
To bid my doating eye balls ache,
And boll my blood and fire my brain
In agonies of blissful pain!—
Nay, Saint, I pass thy word of scorn—
Thyself hath sung this very morn,
Of beautiful and blushing things,
With golden hair and snowy wings,
Fair beyond minstrel's fancyings,
Who, moulded like to forms of earth,
Even in thy own heaven have birth,
Thou' basking in such holy light,
Hath made them look more soft and white—
I tell thee there she sat with me,
Fairer than earthly woman may be—
And she floated before my fainting glance,

Like the shapes of air that softly dance
Round the glorious evening sun,
In the joy that his daily task is done.
Her eye was large and soft and dark,
Floating in fondness—often a spark,
Of mild and chastened light shone through,
And it was even as a drop of dew
Half seen within a darkened bower,
In the morning misty hour,
And you might know that underneath
All of her that did look or breathe,
There was a spirit pure and chaste,
As ice upon the unsunned waste,
Or silver waters under ground,
That the searching day has never found.

The following lines, descriptive of the lovers' life in Paradise, are very musical and fanciful:—

Or we wandered among shining streams,
That like the bard's delicious dreams,
Ever flow thro' beds of flowers,
And golden vales, and blushing bowers.
And all in playfulness we gaze,
With sportive and well feigned amaze
On the water—and start and blush,
To see ourselves there, and we rush
And plunge together, as if to save
Each other from that innocent wave,
Then with it go and glide along,
In echoing laughter, mirth and song.
Or alone we sat by the foamy fountain,
In the solitude of the silent mountain,
And I plucked a water-flower from its flow,
And wreathed it with leaves on the moun-
tain that grow.
And when on her head it was a crown,
At her feet I knelt me down,
And called her the lady and the queen,
Of that wild and desolate scene.
Or often—for our pure nature gave
That triumph over the gloomy grave—
Often our spirits winged away,
Disembodied through the day,
And into aught they would possess,
Breathed themselves in gentleness;
And so became the breeze or dew,
Or shrub, or flower of any hue.
Then sometimes my love was the tall
young tree,

That grows on the mountain loneliness,
And I was the wooing eglantine,
Around her slender shape to twine,
And climb till I kissed the topmost bough,
That blossomed on her fragrant brow;
Or she was the softly opening flower,
Among a thousand in her bower,
And I was the bee that passed all by,
'Till I saw my own flower blushing nigh,
And then in her bleeding bosom I lay,
And sipped its sweets and flew away.
Or still she was that rose, and I
Came down as a soft wind from the sky,
And sadly I sighed thro' fields and bowers,
'Till I found at last my flower of flowers,
And then beneath her folds I crept,
And there in perfumed sweetness slept.
Or a crystal drop was on her leaf,
And I playfully called it the tear of grief,
And then I was the loving light,
To kiss away its essence bright!
Or she kept her own immortal form,
And I came as the breezes wild and warm
Of which she breathed. I was a sigh
Within her heart, alternately
Coming and going, or as she lay
Reclining, I stole in amorous play,
And fluttered all over her gentle frame,
As if to fan its virgin flame!

This poem, we need scarce remark, is not at all worthy of that reputation which Banim afterwards attained; but it exhibits undoubted proof of poetic ability, and is distinguished by an intensity of feeling, very perceptible in his plays, and in his novel *The Nowlans*.

The poem would have reached a second edition, but, unfortunately, Warren, the publisher, became bankrupt, and all Banim's bright hopes and expectations were, for the time, crushed.

He does not seem, however, to have permitted this disappointment to check his ardor in the pursuit of literary fame. He had succeeded in gaining a price, (and not a low one for a poet

unknown to the public and the trade,) for his work, and he saw in this success the first dawning of his future fame. He continued to occupy his unemployed hours in writing plays and poems. He composed, amid all his wants and necessities, a very long and elaborate poem, and a tragedy, entitled *Turgesius*; but, as we shall presently find, the latter was rejected by the Theatres, the former was condemned by Banim himself, and both were eventually committed to the flames.

He had occasionally his hours of relaxation, and these were generally spent with his friend Mulvany. One of their favorite amusements was to walk observingly through the streets, and guess, from the general appearance of the passers by, the trades to which they belonged. Each of the friends prided himself on his discernment; and years afterwards Banim used to look back to those walks with all the grave joys of pleasant memory; and loved to tell how, when they differed as to the trade of the passenger under discussion, they watched his features, endeavouring to discover if he were good humored enough to reply civilly to such questions as, Are you a tailor? or, Are you a shoe-maker? and how, of twenty persons named tailors by him, only two were discovered to be of other trades.

His fortunes were now about to brighten; and of his hopes, and fears; of his studies and pursuits at this period, he gave the following account, in a letter addressed to his father:—

“*Dublin, March 10, 1821.*”

My dear Father,

I have made it a point not to trouble you with any of my humble speculations, until they should arrive at something of a reasonable prospect of success.—Therefore I did not write any account of a matter, which I now sit down to detail.—

You recollect my old tragedy, bearing the magniloquent name of ‘*Turgesius*,’ which you at home thought so highly of, and which, if you remember, Mr. Buchanan pronounced to be, ‘most honourable to him, as emanating from a young gentleman, while a pupil of his English academy.’—Through a friend, this was forwarded to Mr. Elliston, manager of Drury-lane Theatre—by whom, my friend’s good opinion notwithstanding, it was rejected—with some softening praise to be sure—but rejected it was.

After that, ‘*Ossian’s Paradise*,’ (the title of which by the way I have changed, and now call it ‘*The Celt’s Paradise*’) occupied

exclusively my leisure hours.—When this was put into train for publication, in the end of October, I sat down to refit old ‘Turgesius’ for another trial—this took me three weeks of what time I could spare—and then, at the instance of the friend before hinted at, I sent him to Mr. Harris of Covent Garden, who also returned it, with to be sure, a polite note, but still—rejecting him.—

Well, had I been made for fretting, this might have caused me to fret.—I did not, however : I got the manager’s note, about 7 o’clock in the evening—I tied a cord about the hopeless tragedy—all condemned criminals are manacled you know—and I flung it into perpetual exile, into the bottom of a lumber box.—

Before I went to bed, I made the first arrangement for a new tragedy—Pliny’s letters supplied me with the raw material—his anecdote of Damon and Pythias, gave me the idea to be wrought out.—The last refusal of my old play came to hand in the middle of December ; I was then, and had been for some time engaged in compiling for a new poem ; this employment I immediately set aside, and fell to work on Damon and Pythias.

It took me three weeks to study and design my subject, and collect the necessary local knowledge of the persons and of the scene of action, and, in five weeks after, I completed the first copy of the play which I then named ‘The Test’.—In less than a fortnight after, I put the finish to it, and I have now the pleasure of announcing to you at home, who are so anxious about me, that I have received the strongest assurance of its being acted at Covent Garden immediately, or soon after Easter.—

I am slow to encourage, in you or myself, sanguine hope of success ; but a presentiment which I cannot force from me, says that this play will do, and produce fame, and more tangible good.

It will have the aid of an actor, who in my mind, as well as in the estimation of all who have seen him, is of very first rate eminence—I mean Macready. *

* Macready knew, from the first reading of the play, that it was exactly suited to his powers : and it possessed an equally great attraction for him in the fact, that no female character divided the interest of his part.

I should mention that to Mr. Sheil, I owe my introduction to the theatre, and he has kindly undertaken to bestow on me and my bantling, all the care and solicitude of a father.—He will assist in correcting and arranging for the stage ; and this is valuable in the extreme, he being the most successful dramatist of the day.—

This object being so far accomplished, I have now turned again to compile for my poem, and as some of the scenery and localities which I propose to make use of, are situate in the immediate vicinity of Limerick, I intend, with God's help, to go down there on Thursday evening and remain for two months.—By that time I shall have made important progress in the poem—and—the fate of the play will have been decided.—

My dear dear mother will pray for me,—beg of her to have good hopes of me.—As to my venture,—whether the play lives or dies—tell her I will persevere, and if God blesses me with life and health—I will succeed at last.”

The play here mentioned has been frequently called the joint composition of Banim and Sheil. In the preface to the original edition Banim states, that the play owed much to the generous aid of Mr. Sheil ; but the aid consisted in that very important assistance to a young dramatist, an introduction and recommendation to a Manager. Sheil was a powerful friend at this period, in a case requiring such help as Banim needed. His own *Adelaide*, *Bellamira*, *Apostate*, and, above all, *Evadne*, had placed him high in the opinion of the stage authorities, and with his recommendation Banim was enabled to catch, and by his own genius to keep, the attention of the rulers of Covent Garden Theatre. Those who knew Sheil best are able to state, and do state, that he was at this time, as at all others, a fast and steady supporter of those who possessed the claim of merit, or friendship, upon his services, and good offices.*

* For a Memoir of Sheil see IRISH QUARTERLY REVIEW., Vol. I. No. III. p. 375. Why is not Sheil's Biography written ? There are many men capable of the work of composition who knew him intimately, and it would prove, if fairly, and *entirely* written, a most interesting contribution to Irish Biography, and would be a valuable addition to our *Mémoires pour Servir*. We have heard that Mr. Torrens M'Cullagh contemplates such a life of Sheil ; should this be true we may possibly possess a work worthy of the subject—any thing may be accomplished in Ireland to honor the dead, excepting always a public monument or statue, as we find proved by the neglect of those contemplated and collected for, to O'Connell, Thomas Davis, Archbishop Murray, and even MOORE.

Damon and Pythias was produced at Covent Garden Theatre, on the 28th day of May, 1821, the author being in his twenty-fourth year. It was performed at a time when the public taste was somewhat improved, and when the noble language of great Shakspeare was introduced once more upon the stage, excluding the alterations of Tate, and, as Charles Knight has it, "the joinery of Cibber." Our fellow-countryman Macready was, at that time, as in later years, the reformer of the stage; and not two months before the representation of *Damon and Pythias*, he had, at Covent Garden, played *Richard*, with "the original character and language of Shakspeare," to the *Richmond* of Abbott, Mrs. Buin being the *Queen Margaret*, and Mrs. Vining the *Lady Anne*. These were rather favorable times in which to produce so grave and classical a drama as *Banim's*; yet he had great difficulties to surmount, and the dangers of depreciation by comparison were imminent. His play was performed on the 28th of May, but on the 9th *Romeo and Juliet* was played; on the 11th *The Provoked Husband*; on the 15th *The Tempest*, with Macready for *Prospero*, Abbott for *Ferdinand*, William Farren for *Stephano*, Miss Foote for *Ariel*, and Miss Hallande for *Miranda*, were represented; and the latter was repeated on the 22nd. *Damon and Pythias*, therefore, was not a tragedy bursting upon the town at a time when the playgoers were easily overawed by the high sounding name of *Tragedy*, and our young author was to depend for success upon the real merit of his work.

The cast of the play was as follows:—

<i>Damon</i>,	....	...	...	Macready ;
<i>Pythias</i> ,	(in love with <i>Calanthe</i> ,)			Charles Kemble ;
<i>Dionysius</i>,	...	...	...	Abbott ;
<i>Damocles</i>,	...	...	...	Egerton ;
<i>Nicias</i> ,	(father to <i>Pythias</i> ,)			Chapman ;
<i>Calanthe</i> ,	(in love with <i>Pythias</i> ,)			Miss Dance ;
<i>Hermione</i>,	...	...	....	Miss Foote ;
<i>Arria</i>,	...	...	...	Mrs. Conner ;
<i>Damon's Son</i>,	...	...	...	Master Morris ;
<i>Philistias</i>,	...	...	...	Mr. Jefferies ;
<i>Procles</i>,	...	...	...	Mr. Comer ;
<i>Lucullus</i> ,	(<i>Damon's Freed Man</i>)			Mr. Conner.

The story on which the plot is founded, is, as *Banim* informed his father in the letter last above given, in *Pliny*.

In Dodsley's *Old Plays* there is, however, a play entitled *Damon and Pythias*, which Banim may have seen. The only material alteration from either play or story in the tragedy is, that Banim's *Damon* has only six hours given him in which he is to visit, and bid a last farewell to his wife; in the play and story, one friend is permitted to depart for six months, the other friend remaining as a hostage. *Damon and Pythias* was performed seven times during the remainder of the season, which closed on the 7th of August.

This tragedy is quite neglected on the London Stage, but it is occasionally performed in our Theatre Royal, and supported, as it has been, by Mr. King and Mrs. Hudson Kirby, those who witnessed the representations can judge very correctly of its merits as an acting drama. Its original success as a stage piece was due to Sheil's advice, who kindly prepared it for Green Room critics, and through his judicious management Banim was little vexed by those clippings and manglings which so agonizingly tortured the soul of *Mr Puff*, when he discovered that *Tilburina's* "first meeting with Don Whiskeraudos—his gallant behaviour in the sea fight—and the simile of the canary-bird," had been cut out.

To many of our readers the tragedy and its plot must be quite as little known as *The Cell's Paradise*; it is as follows:—

The Senate of Syracuse chooses as its President, *Philistias*, a tool of *Dionysius*, an ambitious soldier. *Dionysius* directs another of his creatures, *Procles*, to induce the populace, by divination, to name him ruler, and he succeeds. *Damocles*, another tool, urges *Dionysius* to revenge himself upon *Damon*, who is a friend to the old laws of Syracuse, and a foe of the Dictator, and as the soldiers return from storming and plundering the citadel, they encounter *Damon*, who, incited by a love of country, calls them "obstreperous traitors," and reproaches *Procles*, as—

"Thou most contemptible and meanest tool,
That ever tyrant used."

The soldiers are about to kill *Damon* for this bold speaking, when his friend, the warrior *Pythias*, rushes in and saves him, crying—

Pyth. Back, on your lives!
Cowards, damn'd, treacherous cowards, back I say!
Do you know me? Look upon me: Do you know
This honest sword I brandish? You have seen it
Among the ranks of Carthage: would you now

Taste its shrewd coldness in your quaking selves !
Back ! back ! I say. He hath his armour on—
I am his sword, shield, helm ; I but enclose
Myself, and my own heart, and heart's blood, when
I thus encompass him—

Damon. False-hearted cravens !
We are but two—my Pythias, my halved heart !—
My Pythias, and myself ; but dare come on
Ye hirelings of a tyrant ! dare advance
A foot, or raise an arm, or bend a brow,
And ye shall learn what two such arms can do
Amongst a thousand of ye.—My good friend,
The gods have sent thee to me—Who had deem'd
To find thee here from Agrigentum ? [*Soldiers advance.*]

Pyth. Off !
Off, villains, off !—Each for the other thus,
And in that other, for his dearer self.
Why, Procles, art thou not ashamed,—for I
Have seen thee do good work in battle time—
Art not ashamed, here on a single man
To rush in coward numbers ? Fie upon thee !
I took thee for a soldier.

Pro. For thy sake,
Who art a warrior like ourselves, we spare him—
'Twas a good star of his that led thee hither
From Agrigentum, to lift up thine arm
In the defence of that long robe of peace
Wherein he wraps his stern philosophy.
Come, teach him better manners. Soldiers, on.

Pythias has come to Syracuse for the purpose of wedding *Calanthe* ; he informs *Damon* of this circumstance, and it is agreed that he shall attend the nuptials of his friend.

The Senate debate as to the guilt of *Dionysius*, and the punishment to be inflicted for his attack on the citadel. The faction in the assembly devoted to the traitor's interests, declare that for his great services to the state on former occasions, he shall be pardoned ; and proceeding yet more boldly it is proposed to the Senate, and agreed by them that he shall be King. *Dionysius* had surrounded the building with his most trusted soldiers ; he knew that *Damon* would oppose his election, and this was to be the great day of his triumph. He had wrought out the triumph:—

“ In all that biting bitterness of heart
Which clings, and gnaws, by inches, to its object,
More keen, because a first essay hath fail'd,
In shame and suffering, failed, thus have I sped
My work, in silence, on. It did become
A thought inwoven with my inmost being.”

Damon had been his chiefest opponent in all his schemes, and against him were the most strict precautions taken. When the Senate are upon the point of decreeing that *Dionysius* shall be King, a noise is heard without the Senate-house, and *Damon*, having broken through the guards, rushes in and cries, referring to the proposed decree—

Damon. And all! are all content?
 A nation's rights betray'd,
 And all content! O slaves! O parricides!
 O, by the brightest hope a just man has,
 I blush to look around and call you men;
 What! with your own free willing hands yield up
 The ancient fabric of your constitution,
 To be a garrison, a common barrack,
 A common guard-house, and for common cut-throats!
 What! will ye all combine to tie a stone
 Each to each other's necks, and drown like dogs
 Within the tide of time, and never float
 To after ages, or at best, but float
 A buoyant pestilence? Can ye but dig
 Your own dark graves, creep into them, and die?
Third S. I have not sanction'd it.
Fourth S. Nor I.
Fifth S. Nor I.
Damon. O! thanks for these few voices! But alas!
 How lonely do they sound! Do you not all
 Start up at once, and cry out liberty?
 Are you so bound in fetters of the mind,
 That there you sit as if you were yourselves
 Incorporate with the marble? *Syracusans!*—
 But, no! I will not rail, nor chide, nor curse ye!
 I will implore you, fellow-countrymen,
 With blinded eyes, and weak and broken speech,
 I will implore you—O! I am weak in words,—
 But I could bring such advocates before you;—
 Your father's sacred images; old men
 That have been grandfathers; women with their children,
 Caught up in fear and hurry, in their arms—
 And those old men should lift their shivering voices,
 And palsied hands—and those affrighted mothers
 Should hold their innocent infants forth, and ask,
 Could you make slaves of them!

All these appeals are vain, the Senate kneel to the usurper, and salute him King. Enraged by this act, *Damon* runs upon him, attempts to stab him, is baffled in the deed, and is condemned to die. *Lucullus* flies to the Temple of Hymen, where the marriage of *Pythias* and *Calanthe* is being celebrated. He whispers in the bridegroom's ear the fate of his friend, and, pale with terror, *Pythias* abandons *Calanthe* even at the altar, and hastens to the rescue or assistance of *Damon*.

Damon had entreated that *Dionysius* would liberate him but for six hours, that he might bid his wife and child farewell; the entreaty was refused, but at the request of *Pythias*, and upon his offering to take the place of his friend, as a hostage for his return within the six hours, *Damon* is permitted to go forth; and it is agreed that if he return not before the expiration of the sixth hour, *Pythias* shall die. *Pythias* is chained and placed in the dungeon, and *Damon* hastens to his villa, accompanied by *Lucullus*. Whilst he is bidding adieu to his wife and child, *Lucullus* hoping to delay his return beyond the six hours prescribed, kills his horse. *Damon*, committing his wife and child to the care of the

gods, rushes forth from the house, eager to mount his steed, and hasten to release his friend from chains and prison. He cries :—

'Tis o'er, Lucullus—Bring thou forth my horse.
I have staid too long, Lucullus, and my speed
Must leave the winds behind me : By the gods,
The sun is rushing down the west !

Luc. My lord—

Dam. Why dost thou tremble ? Fetch the colour back
Into thy cheek, man, nor let thy weak knees
Knock on each other in their cowardice !
Time flies—be brief—go bring my horse to me !
Be thou as swift as speech, or as my heart is !

Luc. My Lord—

Damon. Why, slave, dost hear me ? bring him here !
My horse, I say ! The hour is past already
Whereon I bade old Neucles summon me.

Luc. My generous master, do not slay me !

Damon. Slave !

Art mad ? or dost thou mock me in the last
And fearfulest extremity ?—Yet you speak not !

Luc. You were ever kind and merciful, nor yet
Commended me unto the cruel whip,
And I did love you for it !

Damon. Where's my horse ?

Luc. When I beheld the means of saving you,
I could not hold my hand—my heart was in it,
And in my heart, the hope of giving life
And liberty to Damon ; and—

Damon. Go on ! I am listening to thee !

Luc. And in the hope to save you, I slew your steed !

Damon. Almighty heavens !

Luc. Forgive me !

Damon. I am standing here to see if the great gods
Will with their lightning execute my prayer
Upon thee ! But thy punishment be mine !
I'll tear thee into pieces !

[*Seizes him.*

Luc. Spare me ! spare me !

I saved thy life—O do not thou take mine !

Damon. My friend ! my friend ! O that the word would kill thee !

Pythias is slain !—his blood is on my soul !

He cries, Where art thou, Damon ? Damon, where art thou ?

And Damon's here !—The axe is o'er his neck,—

And in his blood I'm deluged !

Luc. Spare me ! spare me !

Damon. A spirit cries, "Revenge and Sacrifice !" !

I'll do it—I'll do it—Come !

Luc. Where should I go ?

Damon. To the eternal river of the dead !

The way is shorter than to Syracuse.—

'Tis only far as yonder yawning gulf—

I'll throw thee with one swing to Tartarus,

And follow after thee !—Nay, slave, no struggling !

Pythias is grown impatient ! His red ghost

Starts from the ground, and with a bloody hand

Waves to the precipice !

Luc. Have mercy !

Damon. Call for mercy on the furies—not on me !

[*Exit Damon dragging Lucullus with him.*

During the six hours, *Dionysius*, disguised, visits *Pythias* in his dungeon, and tells him that soldiers have been sent forward to stay the return of *Damon*, and endeavours to induce him to escape from the prison ; *Nicias*, the father of *Pythias*, and his own *Calanthe* are introduced, each imploring him to go forth, but he is firm to his trust in *Damon's* honor.

The following is the closing scene of the fifth, and concluding, act, and is extremely effective ; the characters are *Calanthe, Dionysius, Pythias* :—

The gates of the prison are flung open, and PYTHIAS is discovered.—He advances.

Cal. Pythias !

Pyth. Calanthe here !—My poor fond girl !
Thou art the first to meet me here at the block,
Thou wilt be the last to leave me at the grave !
How strangely things go on in this bad world—
This was my wedding day : but for the bride,
I did not think of such a one as death !
I deemed I should have gone to sleep to-night,
This very night—not on the earth's cold lap,
But, with as soft a bosom for my pillow,
And with as true and fond a heart throb in it
To lull me to my slumber, as e'er yet
Couch'd the repose of love.—It was, indeed,
A blissful sleep to wish for !

Cal. O, my Pythias, he yet may come !

Pyth. Calanthe, no !—Remember
That Dionysius hath prevented it.

Cal. That was an idle tale of this old man,
And he may yet return.

Pyth. May yet return !

Speak !—how is this ? return !—O life how strong
Thy love is in the hearts of dying men !
Thou art true he did'st say, the tyrant would prevent
His coming back to Syracuse.

Dion. I wrong'd him.

Pyth. Ha ! were it possible !—may he yet come ?

Cal. Into the sinews of the horse that bears him
Put swiftness, gods !—let him outrace and shame
The galloping of clouds upon the storm !
Blow breezes with him ; lend every feeble aid
Unto his motion !—and thou, thrice-solid earth,
Forget thy immutable fixedness—become
Under his feet like flowing water, and
Hither flow with him !

Pyth. I have taken in
All the horizon's vast circumference
That in the glory of the setting sun
Opens its wide expanse, yet do I see
No signal of his coming !—Nay, 'tis likely—
O, no—he could not ! It is impossible !

Cal. I say, he is false ! he is a murderer !
He will not come ! the traitor doth prefer
Life, ignominious, dastard life !—Thou minister
Of light, and measurer of eternity
In this great purpose, stay thy going down,
Great sun, behind the confines of the world !
On yonder purple mountains make thy stand !
For while thine eye is opened on mankind,
Hope will abide within thy blessed beams—
They dare not do the murder in thy presence !
Alas ! all heedless of thy frantic cry,
He plunges down the precipice of Heaven !
Pythias—O, Pythias !

Pyth. I could have borne to die,
Unmoved by Dionysius—but to be torn
Green from existence by the friend I loved—
Thus from the blossoming and beauteous tree
Rent by the treachery of him I trusted !
No ! no ! I wrong thee, Damon, by that half thought—
Shame on the foul suspicion ! he hath a wife,
And child, who cannot live on earth without him,
And Heaven has flung some obstacle in his way
To keep him back, and lets me die who am
Less worthy, and the fitter.

Pro. Pythias, advance !

Cal. No, no! why should he yet? It is not yet—
By all the gods, there are two minutes only!

Pro. Take a last farewell of your mistress, sir,
And look your last upon the setting sun—
And do both quickly, for your hour comes on!

Pyth. Come here, Calanthe! closer to me, yet!—
Ah! what a cold transition it will be
From this warm touch all full of life and beauty,
Unto the clammy mould of the deep grave!
I pr ythee, my Calanthe, when I am gone,
If thou should'st e'er behold my hapless friend,
Do not upbraid him! This, my lovely one,
Is my last wish—Remember it!

Cal. Hush! hush! Stand back there!

Pyth. Take her, you eternal gods,
Out of my arms into your own!—Befriend her!
And let life glide on in gentleness,
For she is gentle and doth merit it.

Cal. I think I see it—

Pro. Lead her from the scaffold!

Pyth. Arria, receive her!—yet one kiss—farewell!
Thrice—thrice—farewell! I am ready, sir.

Cal. Forbear!

There is a minute left—look there! look there!
But 'tis so far off, and the evening shades
Thicken so fast, there are no other eyes
But mine can catch it—Yet, 'tis there! I see it—
A shape as yet so vague and questionable
'Tis nothing, just about to change and take
The faintest form of something!

Pyth. Sweetest love!

Damo. Your duty, officer.

Cal. I will not quit him

Until ye prove I see it not!—no force
Till then shall separate us.

Damo. Tear them asunder!

Arria, conduct your daughter to her home

Cal. O, send me not away—Pythias, thine arms—
Stretch out thine arms, and keep me!—see, it comes!
Barbarians!—Murderers!—O, yet a moment—
Yet but one pulse—one heave of breath! O, Heavens!

[*She swoons, and is carried away by Arria and Guards.*]

Pyth. [*To the Executioner.*]

There is no pang in thy deep wedge of steel
After that parting.—Nay, sir, you may spare
Yourself the pains to fit me for the block.
Damon, I do forgive thee!—I but ask
Some tears unto my ashes!

[*A distant shout heard—Pythias leaps upon the Scaffold.*]

By the gods,

A horse, and horseman!—Far upon the hill
They wave their hats, and he returns it—yet
I know him not—his horse is at the stretch.
Why should they shout as he comes on? It is—
No!—that was too unlike—but there, now—there!
O, life, I scarcely dare to wish for thee,
And yet—that jutting rock has hid him from me—
No!—let it not be Damon!—he has a wife
And child!—gods! keep him back!

Damon. Where is he?

[*He rushes in, and stands for a moment looking round.*]

Ha! He is alive! untouched! [*Laughing hysterically.*]

Ha! ha! ha!

[*Falls upon the Scaffold.*]

Pyth. The gods do know I could have died for him!
And yet I dared to doubt!—I dared to breathe
The half-utter'd blasphemy!

He faints!—How thick
This wreath of burning moisture on his brow!
His face is black with toil, his swelling bulk
Heaves with swift pantings—Damon, my dear friend!

Damon. Where am I? Have I fallen from my horse
That I am stunn'd, and on my head I feel

A weight of thickening blood ! What has befallen me
 The horrible confusion of a dream
 Is yet upon my sight.—For mercy's sake,
 Stay me not back—he is about to die !
 Pythias, my friend !—Unloose me, villains, or
 You will find the might of madness in mine arm !
 [*Seeing Pythias.*] Speak to me, let me hear thy voice !

Pyth. My friend !

Damon. It pierced my brain, and rush'd into my heart !
 There's lightning in it !—That's the scaffold—there
 The block—the axe—the executioner !—
 And here he lives !—I have him in my soul !
 [*Embracing Pythias.*] Ha ! ha ! ha !

Pyth. Damon !

Damon. Ha ! ha !

I can but laugh !—I cannot speak to thee !
 I can but play the maniac, and laugh !
 Thy hand !—O, let me grasp thy manly hand !—
 It is an honest one, and so is mine !
 They are fit to clasp each other !—Ha ! ha ! ha !

Pyth. Would that my death could have preserved thee !

Damon. Pythias,

Even in the very crisis to have come, —
 To have hit the very forehead of old time !
 By heavens ! had I arrived an hour before
 I should not feel this agony of joy, —
 This triumph over Dionysius !
 Ha ! ha !—But did'st thou doubt me ? Come, thou did'st—
 Own it, and I'll forgive.

Pyth. For a moment.

Damon. O that false slave !—Pythias, he slew my horse,
 In the base thought to save me !—I would have kill'd him
 And to a precipice was dragging him,
 When from the very brink of the abyss
 I did behold a traveller afar,
 Bestriding a good steed—I rush'd upon him,
 Choking with desperation, and yet loud
 In shrieking anguish, I commanded him
 Down from his saddle ; he denied me—but
 Would I then be denied ? As hungry tigers
 Clutch their poor prey, I sprung upon his throat.
 Thus, thus I had him, Pythias. Come, your horse,
 Your horse, your horse, I cried. Ha ! ha ! ha !

Dion. Damon !

Damon. I am here upon the scaffold ! look at me ;
 I am standing on my throne ; as proud a one
 As yon illumined mountain, where the sun
 Makes his last stand ; let him look on me too ;
 He never did behold a spectacle
 More full of natural glory. Death is—Ha !
 All Syracuse starts up upon her hills,
 And lifts her hundred thousand hands ! She shouts !
 Hark, how she shouts ! O ! Dionysius,
 When wer't thou in thy life hall'd with a peal
 Of hearts and hands like that one ? Shout again !
 Again, until the mountains echo you,
 And the great sea joins in that mighty voice,
 And old Enceladus, the Son of Earth,
 Stirs in his mighty caverns ! Tell me, slaves,
 Where is your tyrant ? Let me see him now ;
 Why stands he hence aloof ? Where is your master ?
 What is become of Dionysius ?

I would behold, and laugh at him ! [*Dionysius advances
 between Damon and Pythias, and throws off his disguise.*]

Dion. Behold me !

Damon and Pyth. How !

Dion. Stay your admiration for awhile,
 Till I have spoken my commandment here.—
 Go, Damocles, and bid a herald cry
 Wide through the city, from the eastern gate
 Unto the most remote extremity,
 That Dionysius, tyrant as he is,
 Gives back his life to Damon !

The parting scene between *Damon* and his wife, *Hermione*, and his child, are exquisitely wrought up, and have ever told upon even the most fastidious audiences: the power is not alone that of situation, the language is poetical, and in no point strained or affected. The scenes between the lovers, *Pythias* and *Calanthe*, are very poetical, and marked by that intensity of passion, so powerfully employed in *The Fatches*, and in *The Nowlans*. The following passages may be placed beside *Claude Melnotte's* description of the imaginary "vale," to which he would convey his mistress. Could Bulwer Lytton have had this half forgotten tragedy in mind when writing *The Lady of Lyons*?—

A Chamber in Arria's House.

Enter PYTHIAS and CALANTHE.

Pyth. So, my Calanthe, you would waste the moon of Hymen in this lonely spot?

Cal. In sooth

I would, for 'tis the fairest place in Sicily:
A dell, made of green beauty; with its shrubs
Of aromatic sweetness, growing up
The rugged mountain's sides, as cunningly
As the nice structure of a little nest,
Built by two loving nightingales. The wind,
That comes there, full of rudeness from the sea,
Is lull'd into a balmy breath of peace,
The moment that it enters; and 'tis said
By our Sicilian shepherds, that their songs
Have in this place a wilder melody.
The mountains all about it are the haunts
Of many a fine romantic memory!
High towers old *Etna*, with his feet deep clad
In the green sandals of the freshful spring:
His sides array'd in winter, and his front
Shooting aloft the everlasting flame.
On the right hand is that great cave, in which
Huge *Polyphemus* dwelt, between whose vast
Colossal limbs the artful *Grecian* stole.
On the other side,
Is *Galatea's* dainty dressing-room
Wrought in the living marble; and within
Is seen the fountain where she used to twine
The ringlets on her neck that did ensnare
The melancholy *Cyclop*.—But what care you,
A soldier, for such fantasies? I know
A way that better shall persuade you to
That place for our sweet marriage residence—
There *Damon* hath his villa—Ha! you seem
Determined by the fast proximity
Of such a friendship, more than all my love.

Pyth. Does *Damon* dwell there?

Cal. No; his *Hermione*

And his young boy—O! 'tis a beauteous child!—
Are sent there from the city's noxious air,
And he doth visit them, whene'er the state
Gives him brief respite. Tell me, *Pythias*,
Shall we not see the *Hymeneal* moon
Glide through the blue heavens there?

Pyth. My own adored one,
If thou should'st bid me sail away with thee,
To seek the isles of the *Hesperides*,
I would, with such a pilot, spread my sail
Beyond the trophies of great *Hercules*,
Making thine eyes my *Cynosure*!

The success of the tragedy was the crowning glory of Banim's hopes at this period. All the London papers were unanimous in its praise, and referring to his fire-work and other boyish failures, and slyly retorting his brother Michael's cautions, he wrote, to the latter, announcing his success—"at length, my dear Michael, one of my *sky-rockets* has gone off."

Macready and Charles Kemble played most gloriously; it was precisely the style of tragedy most approved by Macready—it possessed that isolation for himself which rendered Richelieu so marked a favorite with him, and not less so with the audiences; besides, *Damon and Pythias* had no rôle sufficiently prominent to detract from the interest which this great actor desired his own character should possess. Indeed the only performer who failed in the representation of the tragedy was Miss Dance, who entirely misunderstood the conception of *Calanthe*.

Always desirous that the dear ones at home should rejoice and share in the pleasures of his success, Banim thus wrote to his father, and the true hearted trust in the toil of the future, and the purest resolve to pay the few, but, to him great, debts incurred in the wild days, are worthy of notice:—

" *Limerick, June 3rd, 1821.*

My dear Father,

If the papers have not already informed you of the fact, this letter goes to tell you, that at length, thanks to God, a trump has turned up for me.—The play has been successful.—I have got Mr. Sheil's letter, giving Macready's account.—I have also read the *Courier*, *Globe*, and *Morning Chronicle*.—There is no doubt of my success, so again, I am a free man, my debts paid to the last farthing, and I am in possession, once more, of my seat by the old fireside, with my health better than ever it was to fit me for working on.

The moment I receive even part of the proceeds, I will fly to Kilkenny; that, however, may be some weeks.—Joanna is to weave a laurel crown for me; my poor mother shall place it on my brow, and we shall be as happy as happy can be."

This letter it will be perceived was written from Limerick. He had gone there for the purpose of making arrangements for a regular series of articles to be contributed to *The Limerick Evening Post*, and, as has been already stated, to gather local knowledge. Whilst staying in Limerick, and visiting the remark-

able and interesting localities of the city, Banim first discovered that the stirring era of the Great Revolution, and the position of Ireland at that period, were romantic and exciting in all the glowing colors of that greatest of romances—historic fact; and many of the incidents afterwards introduced in his novel *The Boyne Water* were suggested by local association, and treasured in his never failing memory. Having arranged his business in Limerick, Banim returned to Dublin.

Upon arriving in town he found every party and grade of citizens in anxious expectation of the proposed visit of George the Fourth to Ireland. As all know, the King did then pay a visit to this country, remembered only as having incited Byron to compose *The Irish Avatar*, and by the erection of an unmeaning granite pillar at Kingstown. Banim, after the departure of the King for England, in September, 1821, went, late in the same month, to rejoin the dear friends at home; and his first act was to pay, from the money received for *Damon and Pythias*, the sums due to the creditors of former days.

This reunion was a happy one; he did not, whilst revisiting old scenes, and reviving old memories—some sad and dreary—neglect the duties of his self selected profession. Although devoted to literature, he still desired to see the arts supported and encouraged. With all literary men who have abandoned the pencil for the pen, like Hazlitt, and Hood, and Lover, he was ever ready in assisting to secure the interests of his old associates, and of their profession. When Banim found that the people of Ireland were about to erect a testimonial to commemorate the Royal Visit, (and this project, as all our projects of the same kind, ended but in failure,) he thought that the time was suitable for introducing to the public attention the requirements of Art in Ireland.

Accordingly, whilst still in Kilkenny, he commenced the composition of a letter which he completed before his return to Dublin. It was published in the month of January, 1822, by Milliken. It is in pamphlet shape, and extends to thirty-two pages. The title-page is the following: "A Letter to the Committee Appointed to Appropriate a Fund for a National Testimonial, Commemorative of His Majesty's First Visit to Ireland. By John Banim, Esq;" and the letter is dedicated—"To Those of Every Class who have Contributed Any Sum Towards the Erection of A National Testimonial, Commemorative of His Majesty's First Visit To Ireland."

He commences by recounting the various plans proposed, and after showing that all professions, and all bodies in the city possess appropriate buildings in which to assemble, that all professions—save one—are enabled to claim some particular place of meeting as their own, for all their peculiar uses and purposes, he demands—"Where is your Temple of Art? Where is your Louvre or Somerset House?" He then instances the support given to Art by the great statesmen and rulers of other nations; but, assuming that it may be contended that in this country the professions of painting and sculpture are not of sufficient importance to justify the serious contemplation of an outlay of the fund collected, in erecting an Irish National Gallery and School of Art, he writes, referring to the great men who have been the patrons of Art, thus:—

"With the theorist who may think the immortal names we have glanced at were or are wrong in their large and national estimation of art; with the political huxter who picks his steps through every path of cultivated pursuit, leaning on Adam Smith as on a walking-stick; with him, to whose stunted apprehension this spacious and flowery world is but a sales-market or a counting-house, and mind and talent, in all their varied impulses and uncontrollable tendencies, predomined exclusively to buy and sell, and barter and calculate;—with him to whose taste the pounds, shillings, and pence of a nation are the most glorious acquirements of a nation, and who is well prepared to run us up and down the politico-economical gamut on every note and key of 'increase and of supply,' 'demand and market,'—with such a theorist we have another appeal. If individuals of the order we have mentioned be wrong, let us ascertain the sense of the past and present civilized world on the importance of the Arts, generally.

Egypt is a wilderness. We only remember that she was. But of our recollections of her old name, which is the most lively—the most interesting? which most arouses our sympathy, commands our respect, our veneration? Is it our recollection of her wealth, her gaudiness, her arms, her commerce?—No: it is her mind, and not her wealth; her philosophy, and not her arms; her arts, and not her commerce, which we remember with vivacity, which we admire, respect, emulate. We explore her waste places for one atom of her art; if found, we cherish it as a Saint's relic or a parent's memento, and we point to it and say, 'This is a part of Egypt.'

Her foster-child, Greece—old Greece, has left us a greater variety of models for admiration. Her laws, her arms, her poets, orators, heroes, either were more distinguished, or history has better defined and transmitted them to us. They invite our attention equally with her arts—but only equally. With her Lycurgus, her Homer, her Leonidas, we rank her Phidias, her Praxiteles, her Appelles; and while we burn at the recollection of her Marathon and

Thermopyle, we glow with as pure an ardour over the historical memory of her pictured Thunderer, or in the actual presence of her Farnese and Apollo. In Greece, a painter* was allowed to assume the regal purple and golden crown. In Greece, painters and statuaries were eligible to the highest offices of the state. † In Greece, it was the law that none but men of noble birth should profess the Art. ‡ Pamphilus, the master of Apelles, was a statesman and a philosopher as well as an artist. By his influence the elementary principles of the Art were taught in the public schools of Greece, and its acquirement associated with a liberal education.§ When Emilius, after subduing all Macedonia, demanded of the Athenians their most renowned philosopher to educate his children, and their best painter to superintend the ornaments for his triumph, the Athenians sent Metrodorus to the Roman General, telling him, they had provided in one person all he had required of two. || Metrodorus was an artist.

From the political structure of ancient Rome, we must not expect much practical excellence in the Art. But that which the Romans either did not or could not rival, they knew how to admire and appreciate. Quintilian, Pliny, Tacitus, are often the historians or eulogists of ancient Art; and Cicero himself plucks from the garland of the graphic muse some of his sweetest flowers of exemplification.

The Augustan age of Britain does not present a character which stands more boldly forward than that of Reynolds. Those who do, and those who do not, understand his excellence, concur in estimating it as a high national honor and ornament. The more than Augustan age of Britain—her present age, displays a galaxy of talent, as variously as it is consummately excellent. With the senate, the field, the cabinet—with science, philosophy, poetry, great and immortal names are connected. Yet, against any of them, the names of West and Lawrence may be fearlessly arrayed. They stand as high as any in national estimation. They are as often appealed to as evidence of national character. They are as much the boast of their country. Their fame is as widely diffused through polite nations. They are parallels to Britain's proudest names, and can be produced to the same extent.

During thirty years, the profession of arms would seem to have been the only one pursued with enthusiasm in France, yet her Arts were not forgotten. In the hot career of her unrivalled success, elated and laurelled with triumph, France could pause, and hold out to Art the hand of patronage and protection. The genius of victory,

* Apelles.

† Vide Moore—*F. Junius de pictura veterum*.

‡ Pliny.

§ Pliny.

|| Turnbull—*Rise and Decline of Art in ancient Greece and modern Italy*.

gathering up all her trophies, often came to the genius of Art, and sued for her graphic immortality. Denon, David, Le Fever, Le Theyre, were or are cotemporaneous with every era of thirty years of political convulsion in France;—bright names, like bright stars, have risen around them in the national horizon, yet theirs have not been eclipsed.

Italy has, at present, no name, no character, but that which her Arts reflect upon her. It is the only current which keeps her floating up to the level of nations. Italy, that was the war-school of the world—whose thought was intelligence—whose tongue was oratory—whose breath was patriotism—whose sword was victory—Italy is a province—an abject, trampled province. Her Tully, her Cato, her Scipio, her Augustus, her Brutus, are no more.—Italy has only her Canova."

We here close the Second Part of the Biography of John Banim. We have, in it, endeavoured to tell, through his own letters, the story of his life from his twentieth to his twenty-fourth year; and have shown his first struggles and successes in the hard profession to which he had devoted himself.

He was now warned by failure; he was honest and honorable in successes; and what the reader knows him to be now, he will find him to the end—earnest, true souled, not perfect—only a man. But a man in the noblest sense of that grandest word. A man who would pay the debts of folly; a man who would fear no pain, or labor, or want, or privation, in working out the bright, golden fame which he hoped to win by his own genius. "I KNOW NOT HOW LONG I COULD FAST; EVEN THAT I MAY BE CALLED ON TO TRY." So he wrote to Michael—could a heart like this fail?—and mark he wrote it hopefully, above all, daringly and not heedlessly—for this follows—"I HAVE BEEN THE BEST PART OF TWO DAYS WITHOUT TASTING FOOD OF LATE, OFTEN HAVE I GONE TO WHISTLE FOR MY DINNER; AND ONCE I WALKED ABOUT THE TOWN ALL NIGHT FOR THE WANT OF A BED." This was the man to succeed—he never feared the world, he never doubted, because he had proved himself; he knew the thought which has been so graphically expressed by Archdeacon Hare in the *Guesses At Truth*—"Half the failures in life arise from pulling in one's horse as he is leaping." All these things will be clear and plain when we come, as we shall next, to write of Banim's marriage, and of his early struggles and literary successes in the great city, towards which all his aspirations had long tended; and now, more strongly than ever, his soul was, as Tennyson sings—

" Yearning for the large excitement that the coming years
 would yield,
 Eager-hearted as a boy when first he leaves his father's
 field.
 And at night along the dusky highway near and nearer
 drawn,
 Sees in heaven the light of London flaring like a dreary
 dawn ;
 And his spirit leaped within him to be gone before him
 then,
 Underneath the light he looked at, in among the throngs
 of men."

" Among the throngs of men" he fought and struggled to his
 object, as we all fight and strive, but he came forth a victor, with
 fewer stains of selfishness, and with richer store of goodness,
 and of manly feeling, than most of those who have toiled, amidst
 wants and sorrows, can possess. And as time passed by, when
 years of pain had worn out the poor racked and broken body,
 the heart was as of old, and the grief-wearied man
 of 1842 was unchanged from that blithe John Banim, so full of
 hope and joy, who wrote, in 1821, so gaily—" At length, my
 dear Michael, one of my sky-rockets has gone off."

And so the life of the literary man of our day was entered
 upon. To Banim, as to all others, it was the cold, stern
 enchantress, the demon Mistress, that wins men's love, and
 then claims health, and energy, and buoyant youth's bright
 blooming hours, as smallest duties offered in her worship—and
 thus Banim, and Laman Blanchard, and Thomas Hood, have
 each been types of this class, and to each we may apply these
 lines of Charles Mackey :—

" 'Mid his writing,
 And inditing,
 Death had beckoned him away,
 Ere the sentence he had planned
 Found completion at his hand."



